MISSOURI

AIR CONSERVATION COMMISSION BRIEFING DOCUMENT

August 31, 2006



MISSOURI DEPARTMENT OF NATURAL RESOURCES

Division of Environmental Quality

Air Pollution Control Program



NOTICE OF OPEN MEETING

Persons with disabilities requiring special services or accommodations to attend the meeting can make arrangements by calling the Air Pollution Control Program directly at (573) 751-4817, or by calling the division's toll-free number at 1-800-361-4827. Hearing impaired persons may contact the program through Relay Missouri, 1-800-735-2966. Please visit our web site at www.dnr.mo.gov.

AGENDA Missouri Air Conservation Commission Meeting Governor Office Building Room 450 200 Madison Street Jefferson City, MO 65101 August 31, 2006 9:00 a.m.

A.	Call t	to Order	Page #	Jack Baker
В.		ates from July 20, 2006 roval Requested)	1	Jack Baker
C.	Repo	rts - (discussion)		
	1.	Complaint Report	9	Steve Feeler
	2.	Settlement Report	61	Steve Feeler
	3.	Permit Reports	67	Kyra Moore
	4.	Operations Report	89	David Lamb
	5.	Director's Report		Jim Kavanaugh

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D. Unfinished Business

None.

E. Public Hearing

Missouri State Implementation Plan - Grossman Iron and Steel Source Registration Permit 95 Caroline Wainaina

The Missouri Department of Natural Resources' Air Pollution Control Program is proposing to amend the Missouri State Implementation Plan (SIP). This proposed change to the SIP will include the revised source registration permit for Grossman Iron and Steel. The revised permit incorporates operating procedures and record keeping requirements from Grossmans' September 10, 2004 compliance plan that reduces fugitive particulate matter emissions from the Grossman facility.

F. Recommended for Adoption and Actions to be Voted on

10 CSR 10-6.345 Control of NO_x Emissions From Upwind Sources

105 Paul Myers

The purpose of this rule is to protect the air quality in the St. Louis area by addressing Nitrogen Oxides (NO_x) sources proposed for construction outside and upwind of the St. Louis ozone nonattainment area. The rule limits NO_x emissions of sources around the St. Louis ozone nonattainment area to what the department considers an acceptable level, while providing a more transparent and predictable regulatory process for sources seeking permits.

10 CSR 10-6.070 New Source Performance Regulations

113 Paul McConnell

This amendment incorporates by reference 40 CFR part 60 subparts amended between January 1, 2003 and June 30, 2004. This amendment updates three previously adopted subparts. These changes will be explained in greater detail during the public hearing. Additionally, titles of all subparts have been updated to reflect the federal titles and a reference note has been added regarding operating permit requirements that also may be applicable.

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 115 Paul McConnell

This amendment incorporates by reference eighteen new 40 CFR part 63 subparts finalized between January 1, 2003 and June 30, 2004. These subparts pertain to Polyvinyl Chloride and

Copolymers Production; Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations; Organic Liquids Distribution (Non-Gasoline); Miscellaneous Organic Chemical Manufacturing; Surface Coating of Automobiles and Light-Duty Trucks; Surface Coating of Metal Cans; Surface Coating of Miscellaneous Metal Parts and Products; Surface Coating of Plastic Parts and Products; Stationary Combustion Turbines; Stationary Reciprocating Internal Combustion Engines; Lime Manufacturing Plants; Iron and Steel Foundries; Site Remediation; Miscellaneous Coating Manufacturing; Mercury Emissions From Mercury Cell Chlor-Alkali Plants; Taconite Iron Ore Processing; Refractory Products Manufacturing; and Primary Magnesium Refining.

This amendment also updates four previously adopted subparts. These changes will be explained in greater detail during the public hearing. Finally, the subpart for Asphalt Processing and Roofing Manufacturing has been corrected.

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants

117 Paul McConnell

This amendment updates two 40 CFR part 61 subparts finalized between January 1, 2003 and June 30, 2004 previously adopted by reference. These amendments will be explained in greater detail during the public hearing. In addition, a reference note has been added regarding operating permit requirements that also may be applicable.

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information

119 Ron Jeffries

This proposed amendment will establish the emission fee for Missouri facilities as required annually by 643.070 and 643.079, RSMo. The air emission fee for calendar year 2006 is proposed to remain at \$34.50 per ton of regulated air pollutant. This proposed amendment will also change April 1 due dates for emission fees and emission inventory questionnaires for April 1 Standard Industrial Classifications to June 1 so all Classifications have the same due date and change the emission calendar year from 2005 to 2006.

G. New Business

Attorney General's Office Referrals (Approval Requested)

Steve Feeler

Mr. Joe Boggs	143
B & R Salvage	145
Mike and Diane Earl	147

Necessity Findings (Approval Requested)

Wayne Graf

- 10 CSR 10-6.062 Construction Permits By Rule
- 10 CSR 10-2.070 Restriction of Emission of Odors
- 10 CSR 10-3.090 Restriction of Emission of Odors
- 10 CSR 10-4.070 Restriction of Emission of Odors
- 10 CSR 10-5.160 Control of Odors in the Ambient Air
- 10 CSR 10-2.390 Kansas City Area Transportation Conformity Requirements
- 10 CSR 10-5.480 St. Louis Area Transportation Conformity Requirements
- 10 CSR 10-6.070 New Source Performance Regulations
- 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations
- 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants

H. Appeals and Variance Requests

None

I. Open Session

This segment of the meeting affords citizens an opportunity to voice concerns to the commission on air quality issues. Please be advised, comments on specific rulemakings need to be provided as testimony, under oath, during the formal process of the public hearing for that rulemaking.

J. Future Meeting Dates (No Action Needed)

September 27, 2006 – Kansas City

Greater Kansas City Chamber of Commerce Environmental Reception Meeting Room Pending

September 28, 2006 – Kansas City

Holiday Inn - Sports Complex 1-816-353-5300 1st Base 4011 Blue Ridge Cutoff Kansas City, MO 64133

October 26, 2006 – Jefferson City

Elm Street Conference Center 1738 East Elm Street Lower Level Roaring River Conference Room Jefferson City, MO 65101 Missouri Air Conservation Commission August 31, 2006 Page 5

December 7, 2006 – Jefferson City

Elm Street Conference Center 1738 East Elm Street Lower Level Roaring River Conference Room Jefferson City, MO 65101

K. Discussion of Pending Litigation and Legal Matters

Tim Duggan

(This portion of the meeting may be closed, pursuant to Section 610.021 (1), RSMo, after a vote by the Commission.)

L. Meeting Adjournment

Jack Baker

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MINUTES MISSOURI AIR CONSERVATION COMMISSION

Crowne Plaza – St. Louis Airport Gateway III 11228 Lone Eagle Drive St. Louis, MO 63044 July 20, 2006 9:00 a.m.

Commissioners Present

Jack Baker, Chairman Mark A. Fohey, Member Michael Foresman, Vice-Chairman Mark S. Garnett, Member Kevin L. Rosenbohm, Member

Staff Members Present

Rebecca Birke, Public Information Specialist, Air Pollution Control Program (APCP)
Steve Feeler, Compliance/Enforcement Section Chief, APCP
Dave Freeman, Information Technology Services Division
David Gilmore, Commission Secretary, APCP
Wayne Graf, Operations Section, APCP
Ron Jeffries, Operations Section, APCP
Jim Kavanaugh, Director, APCP
Carolyn Kliethermes, Operations Section, APCP
David Lamb, Operations Section Chief, APCP
Paul McConnell, Operations Section, APCP
Kyra Moore, Permits Section Chief, APCP
Paul Myers, Operations Section, APCP
Sara Pringer, Operations Section, APCP
Missy Seeligman, Program Secretary, APCP

Others Present by Attendance Record

Amy Algoe-Eakin, Environmental Protection Agency (EPA) Region VII Ken Anderson, Ameren Alan Banwart, EPA Region VII Genevieve Bodnar, Fred Weber, Incorporated Hannah Bruce, Fred Weber, Incorporated Debra Dieckow, St. Louis County Air Pollution Control Tim Duggan, Attorney General's Office Sue Ehrhardt, St. Louis County Air Pollution Control Dennis Evler, Grace Hill Settlement House Todd Galbierz, ESP Missouri Schuyler Johnson, Chemical Lime Dennis Maddock, Boeing

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Sarah Medler, St. Louis County Air Pollution Control

Nathan Miller, Washington University Interdisciplinary Environmental Law Clinic (IELC)

Douglas Neidigh, Springfield Air Quality Control

Kevin Perry, The Forrester Group

Jennifer Phillips, St. Louis County Air Pollution Control

Mark Reppond, Safety Kleen

Eric Ryszkiewicz, Washington University IELC

David Shanks, Boeing

Amy Sherwin, Laclede Gas

Tom Siedhoff, Mississippi Lime Company

Andrew Simmons, Washington University IELC

Roger Walker, Regulatory Environmental Group for Missouri (REGFORM)

Gwen Yoshimura, EPA Region VII

Michael Zlatic, St. Louis County Health Department

A. Call to Order

Chairman Jack Baker called the June 20, 2006, meeting of the Missouri Air Conservation Commission to order. The following commissioners were present: Mark Garnett, Mike Foresman, Jack Baker, Mark Fohey and Kevin Rosenbohm.

B. Public Hearing

Chairman Baker called the public hearing to order.

Paul Myers presented 10 CSR 10-6.345 Control of NO_x Emissions From Upwind Sources. The rule begins on Page 85 of the July briefing document.

Roger Walker from REGFORM commented on 10 CSR 10-6.345 Control of NO_x Emissions From Upwind Sources.

David Shanks from St. Louis Regional Chamber and Growth Association commented on 10 CSR 10-6.345 Control of NO_x Emissions From Upwind Sources.

Paul McConnell presented 10 CSR 10-6.070 New Source Performance Regulations. The rule begins on Page 97 of the July briefing document.

Paul McConnell presented 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations. The rule begins on Page 103 of the July briefing document.

Paul McConnell presented 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants. The rule begins on Page 111 of the July briefing document.

Carolyn Kliethermes gave a presentation on the Annual Budget/Fiscal Report. Information on the presentation begins on Page 115 of the July briefing document.

Ron Jeffries presented 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information. The rule begins on Page 141 of the July briefing document.

Roger Walker from REGFORM commented on 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information.

David Shanks from Boeing commented on 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information.

To obtain a copy of the hearing transcript, please contact Beth Zink at 711 North Eleventh Street, St. Louis, MO 63101 or by telephone at 1-800-280-3376.

C. Recommended for Adoption or Actions to be Voted on

Mr. Jeffries presented comments and responses to 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning. Information on the proposed amendment begins on Page 155 of the briefing document.

Vice-Chairman Mike Foresman moved to approve the amendment. Commissioner Mark Fohey seconded, all commissioners voted to approve the amendment.

D. New Business

a) Attorney General's Office Referrals

Mr. Feeler presented a referral request for Marble Décor, Incorporated. Information on the proposed referral for Marble Décor, Incorporated begins on Page 191 of the briefing document.

Chairman Baker inquired if anyone from Marble Décor, Incorporated was present or anyone representing the company was present.

No one responded.

Vice-Chairman Foresman moved to refer Marble Décor, Incorporated to the Attorney General's Office (AGO). Commissioner Mark Garnett seconded the motion. All commissioners voted for referral to the AGO.

b) Necessity Findings

None.

E. Appeals and Variance Requests

None.

F. Open Session

There were no requests to address the commission

G. Minutes from June 29, 2006 Meeting

Commissioner Garnett moved to approve June 29, 2006 minutes as written. Vice-Chairman Foresman seconded the motion, and all commissioners voted to approve the minutes.

H. Reports - The following referenced reports are in the July 20, 2006, Missouri Air Conservation Commission Briefing Document.

1) COMPLIANCE/ENFORCEMENT

Mr. Feeler stated the Complaint Report begins on Page 17 of the briefing document.

Vice-Chairman Foresman noted the complaints looked the same as last month.

Mr. Feeler replied that approximately 75 percent of the complaints were related to open burning and odors.

Mr. Feeler continued noting that the Settlement Report begins on Page 53 of the briefing document. The Compliance/Enforcement Section is catching up on cases since it is now fully staffed.

2) PERMITS

Ms. Kyra Moore referred the commission to the Permit Reports beginning on Page 59. In the month of June, the program received 54 construction permit projects and 26 operating permit projects.

Ms. Moore pointed out that as discussed at the last commission, a report was included in the July briefing document on the status of all ethanol and biodiesel plants. The report begins on Page 79 of the briefing document. The Permit Section will update that report on a monthly basis.

Vice-Chairman Foresman asked if the program was aware of the proposed ethanol plant in Illinois, across the river from the St. Louis nonattainment area.

Ms. Moore replied that she did see the press release on the proposed plant, but she was not aware of the exact location or the emission totals.

Vice Chairman Foresman asked about the public notice.

Ms. Moore replied she believed that even though it is not a major air permit, Illinois issued a public notice and the comment period is currently ongoing. The program will review the draft permit and decide if any comments are necessary.

Commissioner Fohey inquired about a proposed ethanol plant in Franklin County.

Ms. Moore replied that she had not heard about that one. Ethanol and biodiesel plants have been cropping up everywhere so it is hard for the program to keep up with them. Ms. Moore encouraged the commission to let the program know if they hear of any ethanol plants proposed. The program intends to add ethanol and biodiesel plants to the report only when a permit application is received. However, early notice of these plants is important so the program can attempt to get in touch with the facilities to encourage pre-application meetings. The Permit Section has had some preapplication meetings with a proposed facility in southwest Missouri. The Permit Section also knows of a proposed plant in Carroll County from a press release.

Ms. Moore noted that the air modeling process that is required to permit ethanol and biodiesel facilities is a very time consuming process. So the sooner the program can get in touch with the company, from an air permit perspective, the better. The program is trying to get the word out through the Department of Economic Development and the Department of Agriculture that it needs to speak with these facilities as soon as possible.

3) **OPERATIONS**

Mr. David Lamb referred the commission to the three Operations reports beginning on Page 81 with the Rules and State Implementation Plan (SIP) Agenda.

He noted that there were currently no actions for public hearing scheduled for the August 31, 2006 commission meeting, however, the program would be requesting the Commission's approval on the five items heard at today's public hearing.

Mr. Lamb then directed the commissioners to the Rules and Progress Schedule beginning on Page 169. Mr. Lamb pointed out the Clean Air Interstate Rule (CAIR) and Clean Air Mercury Rule (CAMR) had been added to the schedule. He stated that the program is currently accepting public comments on the draft CAIR and CAMR rules. The program is anticipating a filing date of October for those rules.

The Air Quality Status Report begins on Page 173. Mr. Lamb noted that on

June 26, 2006, EPA published in the Federal Register their proposal to approve the transition Kansas City Ozone Maintenance SIP Revision, which the commission approved last summer. If there are no adverse comments received for that rule it will be approved by EPA on August 20, 2006.

4) DIRECTOR'S REPORT

a) New Public Information Officer

Jim Kavanaugh thanked the commission and the public for their tolerance of the adverse conditions in which the meeting was taking place.

Mr. Kavanaugh introduced Rebecca Birke as the new Public Information Officer.

b) Federal Budget

Mr. Kavanaugh updated the commission on the President's proposal to cut \$35 million from state air funds. The House Appropriations Committee recommended putting the entire amount back into the federal budget and the Senate Appropriations Committee proposed to restore only \$15 million. Congress now will have to work through the differences. The final budget could be expected to fall somewhere in the middle. We can still anticipate a sizeable reduction. EPA is also reviewing a new allocation formula, which will determine how overall funds get distributed to the EPA regions. Because EPA Region VII includes Missouri, Kansas Nebraska, and Iowa, this part of the country has smaller populations and fewer nonattainment areas when compared to the east and west coast regions. We expect to loose a little more when EPA finalizes a new allocation process.

c) Central Regional Air Planning Association (CENRAP)

Mr. Kavanaugh stated the CENRAP is an organization of states, tribes, federal agencies and other interested parties that identifies regional haze and visibility issues and develops strategies to address them. CENRAP is one of five Regional Planning Organizations across the United States and includes the states and tribal areas of Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, and Louisiana.

Regional haze SIPs are due next each year. Creating emission inventories and developing modeling began several years ago. Preliminary indications of modeling showed that the Clean Air Interstate Rule (CAIR) and other state ozone and PM SIPs would provide sufficient controls to demonstrate reasonable further process in 2018, the first target year. However, it was

recently discovered that some of the modeling had inaccuracies, which needed to be resolved. A presentation for the commission, which will include corrected modeling, should be ready in September.

Mr. Kavanaugh said that technical information will be presented to the commission later this fall.

d) Blue Skyways Collaborative

Mr. Kavanaugh mentioned Josh Tapp from EPA Region VII will be making a presentation to the commission at the September 28, 2006 meeting regarding the Blue Skyways Collaborative.

I. Future Meeting Dates

August 31, 2006 – Jefferson City

Governor Office Building Room 450 200 Madison Street Jefferson City, MO 65101

September 28, 2006 – Kansas City

Holiday Inn - Sports Complex 1-816-353-5300 1st Base 4011 Blue Ridge Cutoff Kansas City, MO 64133

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Elm Street Conference Center 1738 East Elm Street Lower Level Roaring River Conference Room Jefferson City, MO 65101

December 7, 2006 – Jefferson City

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J. Discussion of Pending Litigation and Legal Matters

None.

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K. Missouri Air Conservation Commission

Vice-Chairman Foresman moved to adjourn the July 20, 2006, Missouri Air Conservation meeting. Commissioner Rosenbohm seconded; all commissioners voted to adjourn the meeting.

Chairman Baker adjourned the July 20, 2006, Missouri Air Conservation Commission meeting.

	Respectfully submitted,	
	James L. Kavanaugh, Director	
	Air Pollution Control Program	
Approved:		
Jack Baker, Chairman		
Missouri Air Conservation Cor	nmission	

SETTLEMENT UPDATE August 15, 2006

AGREEMENT ACHIEVED

Violation Name	Negotiations Initiated	Paid Amount	Penalty Suspended
Asbestos			
C&S Excavating	05-09-06	\$0	\$2,000
Carp, Janet	05-02-06	\$0	\$2,000
Central States, Inc.	04-03-06	\$0	\$0
EBR Enterprises	04-07-06	\$500	\$1,500
Environmental Operations, Inc.	12-27-05	\$2,000	\$3,000
Hobby Lobby	05-12-05	\$2,000	\$2,000
J & C Environmental	02-18-04	\$1,500	\$4,500
J & C Environmental	02-18-04	\$1,500	\$4,500
Jim Kidwell Construction Corp.	05-02-06	\$0	\$0
Lampley & Associates	10-27-03	\$1,000	\$3,000
Louis B. EckelKamp	05-09-06	\$1,000	\$3,000
McIntyre Mann Carpets	04-03-06	\$0	\$0
R.E. Smith Construction	04-07-06	\$0	\$2,000
R2K LLC	05-09-06	\$0	\$2,000
Robertson, Darrel	06-02-06	\$0	\$4,000
Show-Me Environmental, Inc.	11-02-05	\$4,000	\$4,000
Todd Boland	05-09-06	\$1,000	\$3,000
Ware Farms	04-07-06	\$500	\$1,500
Wendy's of Missouri	06-28-06	\$500	\$1,500
Construction Permit			
Circle M Ready Mix, Inc.	12-20-05	\$5,000	\$5,000
Collins and Aikman	06-30-05	\$0	\$0
Courtney Excavating & Construction, Inc.	08-10-04	\$3,000	\$0
James Cape & Sons Company	04-10-02	\$4,000	\$0
Dry Cleaning			
Prestige Cleaners	11-21-05	\$1,500	\$0
EIQ			
Executive Shirt Service	08-25-03	\$1,500	\$0
Payless Concrete	06-24-05	\$3,000	\$3,000
Excess Emissions			
Payless Concrete	11-17-05	\$3,000	\$3,000
MACT			
Hydro Aluminum Wells	02-17-06	\$10,000	\$10,000
Teva Pharmaceuticals	03-01-06	\$75,000	\$0
Odor			
National Starch and Chemical Company	03-02-06	\$10,000	\$0

AGREEMENT ACHIEVED

Violation Name	Negotiations Initiated	Paid Amount	Penalty Suspended
Open Burning			
AB Farm, Inc.	07-12-06	\$0	\$2,000
B & R Salvage	06-24-05	\$2,000	\$2,000
Barbara Burton	06-07-06	\$500	\$1,500
Cunningham, Charlie	04-26-05	\$0	\$2,000
Dale Reed	07-11-06	\$0	\$2,000
Falco, Joseph	01-06-06	\$500	\$1,500
Gallegos, Walt	10-31-05	\$0	\$5,000
Kevin Poynter	03-23-06	\$0	\$6,000
Lyle Youngberg	02-09-06	\$500	\$1,500
Phillips Grading & Construction	06-14-06	\$1,000	\$3,000
Richard Tucker	06-13-06	\$500	\$1,500
Schnakenburg, Steve	01-18-06	\$0	\$2,000
Steve Merritt - Keep It Clean Trash Haulers	07-11-06	\$1,000	\$2,000
Operating Permit			
Briggs and Stratton	06-08-06	\$2,000	\$2,000
Consumer Oil Company	06-08-06	\$500	\$1,500
Midland Lithography Company	06-07-06	\$1,000	\$3,000
Monroe City Power Plant	06-08-06	\$500	\$1,500
Portageville Farmers Gin, Inc.	06-15-06	\$0	\$2,000
Precision Marble	06-13-06	\$3,000	\$0
St. Louis Post Dispatch	06-14-06	\$500	\$1,500
VC Missouri Holdings, LLC	06-14-06	\$1,500	\$0
Von Hoffman Press	06-14-06	\$500	\$1,500
Stage II			
7-Eleven f-2147	06-22-06	\$1,000	\$0
BP Amoco #2294 F-3611	06-15-06	\$4,000	\$0
Midwest Petroleum #2710 (MPC-88)	07-01-05	\$500	\$0
Wheelers Service Station, Inc.	05-16-06	\$0	\$2,000
Stage II - Dispense Illegally			
Cheap-Cheap (Sam Patel) F-code #2151	07-28-06	\$1,000	\$1,000

NEGOTIATIONS ONGOING

Violation Name	Negotiations Initiated	
Asbestos		
B&P Patterson Concrete & Construction LLC	08-04-06	
Brad Greer Pest Control	05-30-06	
C & D Heating and Cooling	01-23-04	
Craig Hollis	07-03-06	
Development Contractors, LLP	07-19-06	
Don Bedel	06-19-06	
Don Gregory Excavating	04-03-06	
Gardner, Tim (The Store)	06-27-06	
GBH Builders, Inc.	10-21-05	
Gepner, Bob	07-25-06	
Jim Kidwell Construction Corp	05-02-06	
Kansas City Fire Department	08-08-06	
King Environmental	06-14-05	
Mr. And Mrs. James and Rose Lane	04-28-06	
Mr. Belton Duncan	04-28-06	
Mr. Trash Refuse Co. (Mr. Martin Phillips)	06-02-06	
Orchard Court, LLC	02-09-06	
R.L. Phillips Construction	02-22-06	
Rev. Marion Makarewicz	07-03-06	
Rockhurst University		
Shelton Fireworks	07-21-06	
Summit Companies	05-22-06	
Asbestos/Open Burning		
Burgess Development Group	08-09-06	
Burgess Excavating	08-09-06	
Cedar Acres Resort	09-16-05	
Charcoal Kiln/Construction Permit/Operating Permit		
Craig Industries, Inc.	03-03-06	
Cleaning Solvent		
Liberty Sandblasting, Inc.	03-10-06	
Construction Permit		
Metro Materials	07-19-06	
EIQ		
Bon Ton Cleaners	12-07-05	
Cargill Animal Nutrition	05-02-06	
Cass County Cleaners	04-18-06	
EIQ/Construction Permit	01.05.06	
Black River Asphalt/Dement Ready Mix	01-05-06	
Excess Emissions		

NEGOTIATIONS ONGOING

Violation Name	Negotiations Initiated	
Excess Emissions		
Premium Standard Farms Milan Processing Facility	05-16-06	
Premium Standard Farms, Somerset	09-02-05	
MACT		
Dial Cleaners	03-13-06	
Hydro Aluminum Wells	05-18-05	
NSPS		
Nestle Pruina Petcare	05-22-06	
Odor		
Fred Weber Inc	01-10-06	
Schreiber Foods, Inc.	01-31-06	
Open Burning		
Adams, Don	01-12-06	
Brown, James	10-18-05	
Degenhardt, Jack & Karen	06-14-06	
Earl, Mike & Diane	06-09-05	
Gross, Daniel	05-21-02	
Helton, Greg	03-14-05	
James Sands	02-28-06	
Jamie Turner	07-14-06	
Jerry Thompson Construction	07-18-06	
John Childs	09-23-04	
John Gordon	04-03-06	
John White	04-24-06	
Johnson, David K.	03-23-06	
Jones, Tim	11-08-05	
King Realty (Fred King)	06-15-06	
Larry Ortmann Contracting Co. (Michael Ortmann)	07-19-06	
Martens Homes	06-15-06	
May Mae's Home Sales, Inc.	07-20-06	
Michael Bristow	01-13-06	
Roberts, Randy	06-24-05	
Shelley, Larry	07-28-06	
Stallman, Russell	08-10-06	
Thomas Kopp	08-01-06	
Tyke Entertainment (dba Shooter's 21)	06-19-02	
Watkins, Ryan H.	03-23-06	
Operating Permit		
Dazor Manufacturing Corporation	06-13-06	
Donnie Haynes	04-19-06	

NEGOTIATIONS ONGOING

		Negotiations	
Violation	Name	Initiated	
Operating Po	ermit/Construction Permit/MAC	T	
Cenveo -	Color Art	06-27-06	
Stage II			
Arnold C	itgo F-2032 (Lion Petroleum)	03-29-06	

PENDING CASES REFERRED TO ATTORNEY GENERAL'S OFFICE

Commission

Violation	Name	Referral Date	
Asbestos			
Bricker E	xcavating	06-29-06	
	Restoration/Mound City Development	05-25-06	
Carver, Carver, Carver, Carver		10-27-05	
GMMP		05-25-06	
Hance Ex	cavating	03-30-06	
	nny's Bar Grill	10-27-05	
Sinfabco	•	05-25-06	
Asbestos/Ope	en Burning		
	evelopment	06-29-06	
	ners Construction	06-29-06	
EIQ			
Colonial (Cleaners & Commercial Laundry	03-27-03	
MACT			
Scrubby I	Ouds, Kirksville	06-21-01	
Stewart's	Quality Cleaners	02-02-06	
Open Burnin	g		
Banks, To	om	02-02-06	
Carman C	Chemical	02-02-06	
Craig Aut	omotive	10-13-04	
Gallagher	, Tanya/Israel, Michael	02-02-06	
Holloran,	Matt	05-25-06	
John Cava	anaugh Construction, LLC	03-30-06	
Joseph "A	artie" Ayres	02-10-05	
Mike Nels	son	05-25-06	
Rocky Ke	irn	09-23-04	
Roy Purin	iton	03-29-03	
Russell, M	T ark	05-25-06	
Operating Pe	ermit		
Black Tie	Cleaners	06-24-04	
K & R W	ood Products, Inc.	03-30-06	

Missouri Department of Natural Resources Division of Environmental Quality Air Pollution Control Program

PERMIT APPLICATIONS RECEIVED

	Construction Permits	Operating Permits	Total
January	63	28	91
February	54	30	84
March	66	25	91
April	34	28	62
May	36	32	68
June	57	30	87
July	47	30	77
Total	357	203	560

Department of Natural Resources Division of Environmental Quality Permits Management System

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Air Pollu	ıtion Control Program		
Company:	Mindenmines Regional Waste Facility SW 15th Rd Mindenmines Barton AP200607016	Description: Permit Type: Status: Received:	Landfill AP: Sec 5 & 6: Deminimis and Minor AP: Technical Review 7/7/2006
	O'Sullivan Industries 1900 Gulf St Lamar Barton AP200607031		Responsible official Change AOP: Part 70 Operating Permit Admin. Amend AP: Awaiting Completeness Check 7/3/2006
	Concord Custom Cleaners 2101 W BROADWAY Columbia Boone AP200607082		General OP - Dry Cleaning AOP: Basic Operating Permit Renewal AP: IR Completeness Check 7/24/2006
	Ag Processing - Biodiesel 900 Lower Lake Rd St. Joseph Buchanan AP200607046		Consideration of seperate facility status AP: Applicability Determination Request AP: Awaiting Completeness Check 7/19/2006
	HPI Products Inc 222 Sylvanie St St. Joseph Buchanan AP200607060		Clarify conditions AP: Sec 5 & 6: Deminimis and Minor AP: Technical Review 7/19/2006
	ARAMARK Uniform & Career Apparel 2 West Industrial Fulton Callaway AP200608003		Add water heater AP: Applicability Determination Request AP: Technical Review 7/31/2006
	Christensen Construction Company 2505 County Rd 269 Millersburg Callaway AP200608021		Allow colocated asphalt shingle AP: IR Corrections & Amendments AP: Awaiting Completeness Check 7/21/2006
	Swift Construction - Millersburg 2505 County Rd 269 Millersburg Callaway AP200607035		Asphalt Shingles AP: Sec 4: Relocate to New Site AP: Unit Chief Review 7/13/2006
	Jackson Municipal Utilities 225 S HIGH ST Jackson Cape Girardeau AP200607028		Power Generation AOP: Intermediate Operating Permit Renewal AP: IR Completeness Check 7/11/2006
	Lone Star Industries 2524 South Sprigg Street Cape Girardeau Cape Girardeau AP200607058	Description: Permit Type: Status: Received:	Extension AP: Corrections & Amendments AP: Unit Chief Review 7/20/2006

Company: Limpus Quarries Inc **Description:** Rock Crushing Location: South Little Rd Permit Type: AP: Sec 4: Relocate Approved Site City: Garden City Status: AP: Section 4 Permit Issued County: Received: 7/27/2006 Cass Project#: AP200607073 Company: Ideker-Mosby **Description:** Asphalt Location: US Hwy 69 Permit Type: AP: Sec 4: Relocate to New Site Mosby Status: AP: Awaiting Completeness Check City: County: Clay Received: 7/31/2006 Project#: AP200608005 Company: C.B. Asphalt - Haynesville **Description:** Asphalt Location: T54N:R30W:S30:SW Permit Type: AP: Sec 4: Relocate to New Site City: Haynesville Status: AP: Unit Chief Review County: Clinton Received: 7/14/2006 Project#: AP200607039 Company: Capital Sand **Description:** Sand Plant Location: County Hwy W Permit Type: **AOP: Basic Operating Permit** City: Jefferson City Status: AP: IR Completeness Check County: Cole Received: 7/20/2006 Project#: AP200607064 **Description:** Terminate OP **Company:** Emerson Electric Company Location: 910 Homecrest Street Permit Type: AOP: Part 70 Operating Permit Admin. Amend City: Status: Kennett AP: Amendment Approved Received: County: Dunklin 7/19/2006 AP200607053 Project#: Company: Carlisle Power Transmission Products Responsible official Change Description: Location: 2601 W BATTLEFIELD ST Permit Type: AOP: Part 70 Operating Permit Admin. Amend AP: Amendment Approved City: Springfield Status: 7/11/2006 County: Received: Greene AP200607018 Project#: Company: Norris Asphalt Paving - Trenton **Description:** Asphalt Location: 38 NW HIGHWAY 146 Permit Type: AP: Sec 4: Relocate to New Site AP: Section 4 Permit Issued Trenton Status: City: County: Grundy Received: 7/7/2006 Project#: AP200607014 Company: Hilty Quarries - Quarles Quarry Description: **Rock Crushing** Permit Type: **Location:** 71 N W 850 AP: Sec 4: Relocate to New Site Status: AP: Section 4 Permit Issued City: Clinton County: Received: 7/10/2006 Henry Project#: AP200607022 Company: Tracker Marine **Description:** Confidentiality for 2006-07-015 Location: 1275 N. Golden Dr Permit Type: AP: Confidentiality Request City: Clinton Status: AP: Awaiting Completeness Check County: Received: Henry 7/7/2006 Project#: AP200607027 Company: Tracker Marine Description: Molding Changes Location: 1275 N. Golden Dr Permit Type: AP: Sec 5 & 6: Deminimis and Minor City: Clinton Status: AP: Technical Review County: Henry Received: 7/7/2006 Project#: AP200607015 Company: West Central Concrete Description: Concrete-facilitywide limits Location: 601 S Center St. **Permit Type:** AP: IR Sec 5 & 6: Deminimis and Minor City: Clinton Status: AP: IR Completeness Check County: Henry Received: 7/26/2006 Project#: AP200607074

Company: Capital Quarries - Arcadia Quarry **Description:** Rock Crushing Location: T33N:R04E:S06 MO Hwy 21 S at County Permit Type: AP: Sec 4: Relocate to New Site City: Arcadia Status: AP: Section 4 Permit Issued County: Received: 7/6/2006 Iron Project#: AP200607012 Company: Capital Quarries - Arcadia Quarry Description: Add Site Location: T33N:R04E:S06 MO Hwy 21 S at County Permit Type: AP: IR Corrections & Amendments Arcadia Status: AP: Technical Review City: County: Iron Received: 7/11/2006 Project#: AP200607019 **Description:** Add Site Company: Capital Quarries - Arcadia Quarry Location: T33N:R04E:S06 MO Hwy 21 S at County **Permit Type:** AP: IR Corrections & Amendments City: Arcadia Status: AP: Technical Review County: Iron Received: 7/11/2006 Project#: AP200607021 Company: Capital Quarries - Arcadia Quarry Description: Add Site Location: T33N:R04E:S06 MO Hwy 21 S at County Permit Type: AP: IR Corrections & Amendments City: Arcadia Status: AP: Technical Review County: Iron Received: 7/11/2006 Project#: AP200607020 Company: ISP Minerals, Inc. **Description:** Replace Screen Location: 1 HILLCREST DR Permit Type: AP: Applicability Determination Request Status: City: Annapolis AP: Awaiting Completeness Check Received: County: Iron 7/14/2006 Project#: AP200608024 Company: Aventis Pharmaceuticals, Inc. **Description:** Catalytic Oxidizer Location: 10236 Marion Park Dr Permit Type: AP: Local CP AP: Awaiting Completeness Check City: Kansas City Status: 7/19/2006 County: Received: Jackson AP200607049 Project#: Company: BHA Technologies **Description:** Membranes-downgrade from P70 to BAS Permit Type: AOP: Basic Operating Permit **Location:** 417 SE Thompson Dr. Lees Summit Status: AP: IR Completeness Check City: County: Jackson Received: 7/26/2006 Project#: AP200607079 Company: BHA Technologies **Description:** Emergency generator Location: 8800 E 63rd St Permit Type: AP: Applicability Determination Request Status: AP: No Permit Required City: Raytown County: Jackson Received: 7/3/2006 Project#: AP200607007 Company: BP Products - North America **Description:** Loading Changes Location: 1000 North Sterling Permit Type: AP: Applicability Determination Request City: Sugar Creek Status: AP: Permit Required County: Received: 7/20/2006 Jackson AP200607057 Project#: Company: Centerpoint Medical Center **Description:** Name Change Location: 1509 W TRUMAN RD Permit Type: AOP: Intermediate Operating Permit Amendm City: Sugar Creek Status: AP: Receive, Log, Assign County: Jackson Received: 7/17/2006 Project#: AP200608018 Company: Mizkan Americas Inc. **Description:** Acetators Location: 2400 NICHOLSON Permit Type: AP: Local CP City: Kansas City Status: AP: Awaiting Completeness Check County: Jackson Received: 7/19/2006 Project#: AP200607048

Company: Royer Funeral Home **Description:** Funeral Home Incinerator Location: 101 SE 15th St **Permit Type:** AP: Sec 5 & 6: Deminimis and Minor City: Oak Grove Status: AP: Technical Review County: Received: 7/17/2006 Jackson AP200607045 Project#: Company: Stower's Institute **Description:** Medical Research Location: 4949 ROCKHILL RD Permit Type: AOP: Intermediate Operating Permit Renewal Kansas City Status: AP: Receive, Log, Assign City: County: Jackson Received: 7/28/2006 Project#: AP200608001 **Description:** Install SCR **Company:** Empire District Electric Co (Asbury) Location: Redbud Rd Permit Type: AP: Applicability Determination Request AP: Technical Review City: Asbury Status: County: Jasper Received: 7/26/2006 Project#: AP200607075 Company: Scout Products LLC Description: Wood finishing AP: Sec 5 & 6: Deminimis and Minor **Location:** 124 E Broadway Permit Type: City: Webb City Status: AP: Technical Review County: Jasper Received: 7/10/2006 Project#: AP200607023 Company: St John's Regional Medical Center **Description:** Hospital Location: 2727 MCCLELLAND BLVD Permit Type: AOP: Intermediate Operating Permit Renewal City: Status: **Joplin** AP: Receive, Log, Assign County: Received: Jasper 7/10/2006 AP200607025 Project#: Company: Kitco Inc **Description:** Fiberglass - moving from Odessa Permit Type: AP: Sec 5 & 6: Deminimis and Minor Location: 520 NE Enterprise Dr AP: Technical Review City: Warrensburg Status: 7/20/2006 County: Received: Johnson Project#: AP200607063 Company: United States Air Force - WAFB **Description:** Replace Generator Location: 660 10TH ST Permit Type: AP: Applicability Determination Request Whiteman AFB Status: AP: Executive Review City: County: Johnson Received: 7/17/2006 Project#: AP200607041 Company: Lowe Boats Inc Description: Relocate cutters Permit Type: Location: 2900 Industrial Drive AOP: Part 70 Operating Permit Off-Permit Cha Status: AP: Technical Review City: Lebanon County: Received: 7/3/2006 Laclede Project#: AP200607030 Company: BCP Ingredients Inc Description: Increase Prodution Location: 299 N Extension St Permit Type: AP: Sec 5 & 6: Deminimis and Minor City: Verona Status: AP: Technical Review County: Received: 7/14/2006 Lawrence Project#: AP200607037 Company: BCP Ingredients Inc **Description:** Confidentiality for 2006-07-037 Location: 299 N Extension St Permit Type: AP: Confidentiality Request City: Verona Status: AP: Awaiting Completeness Check County: Lawrence Received: 7/14/2006 Project#: AP200607038 Company: CHP Environmental Description: Shingle Grinding Location: Permit Type: AP: Applicability Determination Request AP: No Permit Required City: Status: County: Lawrence Received: 7/7/2006 Project#: AP200607013

Company: The Kingsford Products Co **Description:** Charcoal Location: 21200 Maries Rd 314 Permit Type: AOP: Part 70 Operating Permit Renewal City: Belle Status: AP: Awaiting Completeness Check County: Received: Maries Project#: AP200607042 Company: Block Supply LLC Description: Concrete Blocks Location: US Hwy 71 S Permit Type: AP: Applicability Determination Request Anderson Status: AP: Receive, Log, Assign City: County: McDonald Received: 7/28/2006 Project#: AP200608004 **Description:** Thermal Oxidizer Company: Simmons Foods Inc Location: 10700 MO Hwy 43 N Permit Type: AP: Corrections & Amendments City: Southwest City Status: AP: Amendment Approved County: McDonald Received: 7/18/2006 Project#: AP200607052 Company: Capital Quarries, Inc. **Description:** Rock Crushing Location: 55588 Wingate Ford Road **Permit Type:** AP: Sec 4: Relocate Approved Site City: California Status: AP: Section 4 Permit Issued County: Moniteau Received: 7/19/2006 Project#: AP200607056 Company: Delta Asphalt **Description:** Asphalt Location: T21N:R13E:S09:NW State Hwy F Permit Type: AP: Sec 4: Relocate Approved Site City: Status: AP: Section 4 Permit Issued Conran Received: 7/19/2006 County: New Madrid Project#: AP200607055 Company: La-Z-Boy Midwest Upholstered wood furniture Description: Location: 4301 HOWARD BUSH DR Permit Type: AOP: Part 70 Operating Permit Renewal AP: Awaiting Completeness Check City: Neosho Status: 7/26/2006 County: Received: Newton AP200607065 Project#: Company: Central Electric Power Cooperative **Description:** Burn corn cobs Location: Hwy 100 East Permit Type: AP: Applicability Determination Request Chamois Status: AP: Receive, Log, Assign City: County: Osage Received: 7/31/2006 Project#: AP200608002 Company: Asphalt Products, Inc. Description: Asphalt **Location:** 14060 Co Rd 2110 Permit Type: AP: Sec 4: Relocate to New Site Status: City: Rolla AP: Awaiting Completeness Check County: Phelps Received: 7/12/2006 Project#: AP200607033 Company: Asphalt Products, Inc. Description: Update for BMPs-electrosub **Location:** 14060 Co Rd 2110 Permit Type: AP: IR Sec 5 & 6: Deminimis and Minor City: Rolla Status: AP: Technical Review County: Received: 7/28/2006 Phelps Project#: AP200607080 Company: Briggs & Stratton Corp. **Description:** Heat-treat oven Location: 3701 HYPOINT BLVD Permit Type: AP: Applicability Determination Request City: **ROLLA** Status: AP: Receive, Log, Assign County: Phelps Received: 7/3/2006 Project#: AP200607006 Company: Holcim (US) Inc. **Description:** NSPS testing Location: 14744 MO Hwy 79 N Permit Type: AP: Corrections & Amendments Clarksville AP: Final Clerical Prep City: Status: County: Pike Received: 7/10/2006 Project#: AP200607011

Company: Leo Journagan Construction **Description:** Asphalt Location: T33N:R24W:S23 Permit Type: AP: Sec 4: Relocate to New Site City: Bolivar Status: AP: Unit Chief Review County: Received: 7/27/2006 Polk Project#: AP200607084 Company: Leo Journagan Construction **Description:** Asphalt Location: T33N:R24W:S23 Permit Type: AP: Sec 4: Relocate Approved Site Bolivar Status: AP: Section 4 Permit Issued City: County: Polk Received: 7/31/2006 Project#: AP200608006 Company: Delta Asphalt Description: Burn RFO Fuel Location: Permit Type: AP: IR Applicability Determination Request City: Cape Girardeau Status: AP: Receive, Log, Assign County: Portable Plant Received: 7/17/2006 Project#: AP200607085 Company: Delta Asphalt Description: Burn RFO in asphalt plant Location: Permit Type: AP: IR Applicability Determination Request City: Cape Girardeau Status: AP: Receive, Log, Assign County: Portable Plant Received: 7/17/2006 Project#: AP200607034 Company: Delta Asphalt **Description:** Correct portable number Location: Permit Type: AP: IR Corrections & Amendments Status: City: Cape Girardeau AP: Receive, Log, Assign Received: County: Portable Plant 7/19/2006 AP200607054 Project#: Company: Hilty Quarries Description: Rock Crushing-Applicability? Location: PO Box 407 Permit Type: AOP: Basic Operating Permit Renewal AP: IR Unit Chief Review City: Clinton Status: 7/26/2006 County: Portable Plant Received: AP200607077 Project#: Company: Hilty Quarries, Inc **Description:** Asphalt **Location:** 190 NW 251 Permit Type: AOP: Basic Operating Permit Renewal AP: IR Unit Chief Review Clinton Status: City: County: Portable Plant Received: 7/24/2006 Project#: AP200607068 Company: Hilty Quarries, Inc Description: **Rock Crushing Location:** 190 NW 251 Permit Type: AOP: Basic Operating Permit Renewal Status: AP: IR Unit Chief Review City: Clinton County: Portable Plant Received: 7/24/2006 AP200607069 Project#: Company: Hilty Quarries, Inc. **Description:** Cold Mix Plant Location: 190 NW 251 Permit Type: AOP: Basic Operating Permit Renewal City: Clinton Status: AP: IR Unit Chief Review County: Received: 7/24/2006 Portable Plant Project#: AP200607070 Company: Hilty Quarries, Inc. **Description:** Asphalt Location: 190 NW 251 Permit Type: AOP: Basic Operating Permit Renewal City: Clinton Status: AP: IR Unit Chief Review County: Portable Plant Received: 7/24/2006 Project#: AP200607071 Company: US Army Engineer Center & Ft. Leonard Wo **Description:** Smoke generation Location: 1334 1ST ST Permit Type: AP: Applicability Determination Request Fort Leonard Wood City: Status: AP: Receive, Log, Assign County: Pulaski Received: 7/11/2006 Project#: AP200607026

Company: C. B. Asphalt, Inc. **Description:** Asphalt Permit Type: AOP: Basic Operating Permit Renewal Location: County Hwy DD City: Huntington Status: AP: IR Completeness Check County: Received: 7/18/2006 Ralls Project#: AP200607059 Description: Replace Crusher Company: Ray County Stone Producers Location: 17279 Maddux Rd Permit Type: AP: Applicability Determination Request Rayville Status: AP: Executive Review City: County: Ray Received: 7/17/2006 Project#: AP200607061 Company: Ray County Stone Producers **Description:** Remove concrete, update quarry production Location: 17279 Maddux Rd **Permit Type:** AP: IR Sec 5 & 6: Deminimis and Minor City: Rayville Status: AP: Technical Review County: Ray Received: 7/17/2006 Project#: AP200607043 Company: Doe Run Inc - West Fork Unit Description: Confidentiality for 2006-07-066 **Location:** County Hwy TT Permit Type: AP: Confidentiality Request City: Bunker Status: AP: Receive, Log, Assign County: Reynolds Received: 7/24/2006 Project#: AP200607067 **Description:** New Process Plant Company: Doe Run Inc - West Fork Unit **Location:** County Hwy TT **Permit Type:** AP: Sec 5 & 6: Deminimis and Minor Status: City: Bunker AP: IR Completeness Check Received: County: Reynolds 7/24/2006 Project#: AP200607066 Company: BHA Technologies Membranes-downgrade from P70 to BAS Description: Location: 223 Industrial Blvd Permit Type: **AOP: Basic Operating Permit** City: Slater Status: AP: IR Completeness Check 7/26/2006 County: Saline Received: AP200607078 Project#: Company: Mid-Missouri Energy, Inc **Description:** Modify emission limit Location: T51N:R23W:S24 1 Mi W of Malta Bend on Permit Type: AP: Sec 5 & 6: Deminimis and Minor Malta Bend AP: Applicant submitting complete City: Status: County: Saline Received: 7/7/2006 Project#: AP200607017 Company: Cargill, Inc. - Buffalo Island Grain Elv Description: Temporary Grain Pile Location: County Hwy N Permit Type: AP: Applicability Determination Request Status: AP: Receive, Log, Assign City: Charleston County: Scott Received: 7/21/2006 AP200607062 Project#: Company: Boeing-McDonnell Douglas-Electronic Description: Change responsible official Location: 2600 N 3RD ST Permit Type: AOP: Part 70 Operating Permit Admin. Amend City: St. Charles Status: AP: Receive, Log, Assign County: Received: 7/27/2006 St. Charles AP200608013 Project#: Company: General Motors **Description:** Change Responsible official Location: 1500 East Route A Permit Type: AOP: Part 70 Operating Permit Admin. Amend City: Wentzville Status: AP: Receive, Log, Assign County: St. Charles Received: 7/31/2006 Project#: AP200608012 Company: Union Electric Co, Sioux Plant Description: Gypsum scrubber system Location: 8501 N STATE ROUTE 94 **Permit Type:** AP: Sec 5 & 6: Deminimis and Minor West Alton AP: Technical Review City: Status: County: St. Charles Received: 7/17/2006 Project#: AP200607040

Company: Base Rock Materials **Description:** Rock Crushing Location: 6801 VO TECH RD Permit Type: AOP: Intermediate Operating Permit Renewal City: Bonne Terre Status: AP: IR Completeness Check County: Received: St. Francois 7/17/2006 AP200607047 Project#: Company: Lafarge-Graniteville Trap Rock Description: Trap Rock-electrosub Location: 261 County Hwy W **Permit Type:** AP: IR Sec 5 & 6: Deminimis and Minor Iron Mountain Status: AP: Technical Review City: County: St. François Received: 7/17/2006 Project#: AP200607044 Company: Mocap Plastic Products **Description:** Add dip-molding machines Location: 111 INDUSTRIAL DR **Permit Type:** AP: Sec 5 & 6: Deminimis and Minor City: Park Hills Status: AP: Technical Review County: St. Francois Received: 7/5/2006 Project#: AP200607008 Company: McDonnell Douglas - Boeing Co. Description: Change responsible official Location: Lindbergh St Permit Type: AOP: Part 70 Operating Permit Admin. Amend City: St. Louis Status: AP: Receive, Log, Assign County: St. Louis Received: 7/27/2006 Project#: AP200608014 Description: Protein plant Company: Pharmacia Company (Chesterfield) Location: 700 Chesterfield Parkway Permit Type: AOP: Basic Operating Permit Status: City: Chesterfield AP: Receive, Log, Assign Received: County: St. Louis 7/27/2006 Project#: AP200607081 Company: JW Aluminum **Description:** Cold mill modifications Location: 6100 S BROADWAY Permit Type: AP: Local CP AP: Awaiting Completeness Check City: St. Louis Status: 7/10/2006 County: St. Louis City Received: Project#: AP200607010 Company: JW Aluminum **Description:** Location: 6100 S BROADWAY Permit Type: AOP: Part 70 Operating Permit Admin. Amend St. Louis AP: Receive, Log, Assign City: Status: County: St. Louis City Received: 7/19/2006 Project#: AP200607050 Company: Swing-A-Way Mfg Description: Terminate OP Location: 4100 Beck Permit Type: AOP: Basic Operating Permit Status: City: St. Louis AP: Operating Permit Terminated County: St. Louis City Received: 7/12/2006 AP200607029 Project#: Company: U S Paint Corporation **Description:** Location: 831 S 21ST ST Permit Type: AOP: Intermediate Operating Permit Amendm AP: Receive, Log, Assign City: St. Louis Status: County: Received: 7/19/2006 St. Louis City AP200607051 Project#: Company: U S Paint Corporation **Description:** Submersible Mill Location: 831 S 21ST ST Permit Type: AP: Local CP City: St. Louis Status: AP: Awaiting Completeness Check County: St. Louis City Received: 7/31/2006 Project#: AP200607083 Company: Delta Asphalt - Bloomfield Description: Make portable stationary Location: 15498 Old Bloomfield Rd Permit Type: AP: IR Applicability Determination Request City: Dexter Status: AP: Receive, Log, Assign County: Stoddard Received: 7/27/2006 Project#: AP200607076

Company: Nestle Purina PetCare **Description:** Cat Litter Location: 22450 COUNTY HIGHWAY Y Permit Type: AOP: Intermediate Operating Permit Renewal City: Bloomfield Status: AP: Receive, Log, Assign County: Stoddard Received: 7/3/2006 Project#: AP200607001 Company: Doss & Harper Stone Co **Description:** Amend for colocation-electrosub Location: T30N:R09W:S17 MO Hwy 17 South **Permit Type:** AP: IR Corrections & Amendments City: Houston Status: AP: Receive, Log, Assign County: Texas Received: 7/31/2006 Project#: AP200608008 Company: Doss & Harper Stone Co **Description:** Amend for colocation-electrosub Location: T30N:R09W:S17 MO Hwy 17 South **Permit Type:** AP: IR Corrections & Amendments City: Houston Status: AP: Receive, Log, Assign County: Texas Received: 7/31/2006 Project#: AP200608007 Company: Truesdale Packaging LLC **Description:** Beverages and packaging Location: 1410 E Veterans Memorial Pkwy. Permit Type: AOP: Basic Operating Permit City: Warrenton Status: AP: Receive, Log, Assign County: Received: Warren 7/5/2006 Project#: AP200607024



Missouri Department of Natural Resources Division of Environmental Quality Air Pollution Control Program

PERMIT APPLICATIONS COMPLETED

	Construction Permits	Operating Permits	Total
January	44	13	57
February	55	26	81
March	40	30	70
April	42	12	54
May	57	38	95
June	42	9	51
July	32	25	57
Total	312	153	465

Department of Natural Resources Division of Environmental Quality Permits Management System

Air Pol	lution Control Program				_
	Mertens / Mid-Missouri Limestone, Inc. 1801 WEST WILLIAMS ROAD Sturgeon Boone AP200606025		Completed 7/3/2006 Record-keepin AP: IR Correct AP: Amendment	tions & Amenda	Days Used 27 ments
	Aqula Inc. (Lake Road Station) 1413 Lower Lake Road St. Joseph Buchanan AP200407005	-		Permit # OP2006-048 cid Rain Acid Rain Perm n Permit Issued	Days Used 757 nit Renewal
	Grisham Materials 8607 Old North Road Rushville Buchanan AP200604011	Received 4/5/2006 Description: Permit Type: Status:	-	& 6: Deminimis	Days Used 96 and Minor
Company: Location: City: County: Project#:	Biokyowa Inc. 975 Nash Road Cape Girardeau Cape Girardeau AP200301061	•	Completed 7/27/2006 Increase carbo AP: Correction AP: Amendment	ns & Amendmen	Days Used 1283
Company: Location: City: County: Project#:	Biokyowa Inc. 975 Nash Road Cape Girardeau Cape Girardeau AP200405012			Permit # OP2006-040 outfacturing Operating Permit g Permit Issued	Days Used 800 t Renewal
	Limpus Quarries Inc South Little Rd Garden City Cass AP200607073		Completed 7/28/2006 Rock Crushing AP: Sec 4: Rel AP: Section 4	ocate Approved	Days Used 1 Site
	Missouri Partners Inc Hwy ZZ & Countyline Clever Christian AP200606082		Completed 7/21/2006 Rock Crushing AP: IR Applica AP: No Permi	ability Determin	Days Used 25 ation Request
	Bluegrass Container Company, LLC 110 East 10th Avenue North Kansas City Clay AP200304133	Received 4/25/2003 Description: Permit Type: Status:	AOP: Part 70 0	Permit # OP2006-046 Operating Permit g Permit Issued	Days Used 1189 t Renewal
Company: Location: City: County: Project#:	Bluegrass Container Company, LLC 110 East 10th Avenue North Kansas City Clay AP200606091	Received 6/27/2006 Description: Permit Type: Status:	Completed 7/25/2006 Ownership Ch AOP: Part 70 O AP: Closed on	Operating Permi	Days Used 28 t Admin. Amen

Company: Location: City: County: Project#:	N.A.P. Co - I-35 Cameron 109th St Cameron Daviess AP200606081	Received 6/22/2006 Description: Permit Type: Status:	7/28/2006)598-006 e to New Site	Days Used 36
Company: Location: City: County: Project#:	Campbell Municipal Power Plant T21N:R09E:S03 W Mill St Campbell Dunklin AP200503099	•		P2006-050 n d Rain Permi	Days Used 490 t Exemption
	Emerson Electric Company 910 Homecrest Street Kennett Dunklin AP200503054		Completed F 7/19/2006 Electric Motors AOP: Part 70 Oper AP: Application W	OP ating Permit	
	Emerson Electric Company 910 Homecrest Street Kennett Dunklin AP200607053	Received 7/19/2006 Description: Permit Type: Status:	7/21/2006 OI	-	Days Used 2 Admin. Amen
	Ameren UE - Labadie Labadie Bottom Road Labadie Franklin AP200511018	-	Completed F 7/28/2006 Control Period AOP: NOx Projecte AP: ERC Request	ed Allowance	Days Used 267 e or Control Pe
	The Meramec Group 338 Ramsey St Sullivan Franklin AP200412077	•		-	Days Used 573 Renewal
	Von Hoffman Graphics, Inc 1005 COMMERCIAL DR Owensville Gasconade AP200605072			72006-004 4 sheetfed, co minimis and l	
	Springfield Sanitary Landfill 3545 W Farm Road 34 Springfield Greene AP200412098	Received 12/22/2004 Description: Permit Type: Status:	7/26/2006 OI	-	Days Used 581 Renewal
Company: Location: City: County: Project#:	Bob Monnig Industries Inc. 400 INDUSTRIAL DR Glasgow Howard AP200605023	Received 5/5/2006 Description: Permit Type: Status:	7/3/2006	minimis and	Days Used 59 Minor
	Capital Quarries - Arcadia Quarry T33N:R04E:S06 MO Hwy 21 S at County Hw Arcadia Iron AP200607012	Received 7/6/2006 Description: Permit Type: Status:	•	72004-006 e to New Site	Days Used

	Lafarge Graniteville Quarry T34N:R03E:S11 MO Hwy 21 Graniteville Iron AP200605040	Received 5/15/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/24/2006072006-00770Quarry, Rock CrushingAP: IR Sec 5 & 6: Deminimis and MinorAP: Section 5 Permit Issued
Company: Location: City: County: Project#:	BHA Technologies 8800 E 63rd St Raytown Jackson AP200607007	•	CompletedPermit #Days Used7/28/200625Emergency generatorAP: Applicability Determination RequestAP: No Permit Required
	Independence Power & Light (Blue Valley) 21500 E TRUMAN RD Sugar Creek Jackson AP200512027		CompletedPermit #Days Used7/21/2006OP2006-045218Unit 3 RenewalAOP: Phase II Acid Rain Permit RenewalAP: Acid Rain Permit Issued
	Independence Power & Light (Blue Valley) 21500 E TRUMAN RD Sugar Creek Jackson AP200602088		CompletedPermit #Days Used7/11/2006OP175Responsible officialAOP: Part 70 Operating Permit Admin. AmenAP: Amendment Approved
	L.S. Construction Services, Inc. 1600 N STATE ROUTE 291 Sugar Creek Jackson AP200606042	Received 6/12/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/21/20060196-007A39Add limits to permitAP: IR Corrections & AmendmentsAP: Amendment Approved
	MRI - Deramus Field Station 13204 Arrington Rd Grandview Jackson AP200605001	Received 4/27/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/17/2006052005-001C81Temporary IncineratorAP: Temporary or Pilot Plant PermitAP: Temporary Permit Issued
Company: Location: City: County: Project#:	Able Body Corporation 1000 S SCHIFFERDECKER AVE Joplin Jasper AP200604024		CompletedPermit #Days Used7/5/2006OP2004-04989New paint booth changesAOP: Part 70 Operating Permit Off-Permit ChAP: Request Approved
	Tamko Building Products, Inc. 3000 Newman Rd Joplin Jasper AP200606074	Received 6/21/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/18/2006OP27Name ChangeAOP: Part 70 Operating Permit Admin. AmenAP: Closed out, per policy
Company: Location: City: County: Project#:	Metal Container Corporation 42 Tenbrook Industrial Arnold Jefferson AP200405013	Received 5/4/2004 Description: Permit Type: Status:	CompletedPermit #Days Used7/13/2006OP2006-041800Beverage CansAOP: Part 70 Operating Permit RenewalAP: Operating Permit Issued
Company: Location: City: County: Project#:	Hilty Quarries, Inc 407 SW Hwy 13 Warrensburg Johnson AP200511038	Received 11/14/2005 Description: Permit Type: Status:	CompletedPermit #Days Used7/13/2006241Amend control efficiencyAP: IR Sec 5 & 6: Deminimis and MinorAP: Application Withdrawn by Applicant

Company: Location: City: County: Project#:	Hilty Quarries, Inc 407 SW Hwy 13 Warrensburg Johnson AP200511039	•	Completed Permit # Days Used 7/12/2006 052005-017 240 Amend record-keeping AP: IR Corrections & Amendments AP: Application Withdrawn by Applicant
Company: Location: City: County: Project#:	Generation III Boats 901 COWAN DR Lebanon Laclede AP200604008	Received 4/3/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/5/2006072006-00193Add paint boothsAP: Sec 5 & 6: Deminimis and MinorAP: Section 5 Permit Issued
	Higginsville Municipal Power Facility 102 East 2nd Street Higginsville Lafayette AP200602036	Received 2/8/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/27/2006OP2006-049169Acid Rain Existing and New Unit ExemptionsAOP: Phase II Acid Rain Permit ExemptionAP: Acid Rain Permit Issued
	Limpus Quarries Inc 1317 County Hwy Z Bates City Lafayette AP200605003	Received 5/1/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/7/2006062006-01367Amend for BMPsAP: IR Sec 5 & 6: Deminimis and MinorAP: Section 6 Permit Issued
Company: Location: City: County: Project#:	CHP Environmental Lawrence AP200607013	Received 7/7/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/12/20065Shingle Grinding5AP: Applicability Determination RequestAP: No Permit Required
Company: Location: City: County: Project#:	Macon Power Plant-City Of Macon 326 Vine Street Macon Macon AP200211179	Received 11/18/2002 Description: Permit Type: Status:	CompletedPermit #Days Used7/10/2006OP2006-0371330Power PlantAOP: Part 70 Operating Permit RenewalAP: Operating Permit Issued
Company: Location: City: County: Project#:	Norris Asphalt Paving Co - Mercer T66N:R23W:S22:NW:SW County Hwy M Mercer Mercer AP200606092		CompletedPermit #Days Used7/25/2006072006-00829Rock Crushing - electrosubAP: IR Sec 5 & 6: Deminimis and MinorAP: Section 5 Permit Issued
Company: Location: City: County: Project#:	Capital Quarries, Inc. 55588 Wingate Ford Road California Moniteau AP200607056	Received 7/19/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/21/2006092002-0162Rock CrushingAP: Sec 4: Relocate Approved SiteAP: Section 4 Permit Issued
Company:			
Location: City: County: Project#:	Delta Asphalt T21N:R13E:S09:NW State Hwy F Conran New Madrid AP200607055	Received 7/19/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/21/2006052005-0232AsphaltAP: Sec 4: Relocate Approved SiteAP: Section 4 Permit Issued

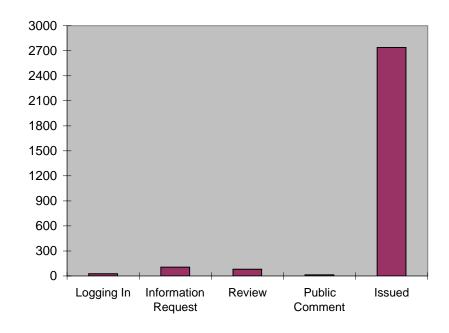
Company: Location: City: County: Project#:	Ideker - Skidmore CR 822 Skidmore Nodaway AP200604048	Received 4/13/2006 Description: Permit Type: Status:	Completed Permit # Days Used 7/25/2006 072006-009 103 Asphalt - BMPs AP: IR Sec 5 & 6: Deminimis and Minor AP: Section 5 Permit Issued
	Central Electric Power Cooperative Hwy 100 East Chamois Osage AP200403157		CompletedPermit #Days Used7/17/2006OP2006-044838Phase II RenewalAOP: Phase II Acid Rain Permit RenewalAP: Acid Rain Permit Issued
	Lake Asphalt Paving - Capital Site 14050 County Rd 2110 Rolla Phelps AP200606057		CompletedPermit #Days Used7/28/2006062006-012A43Asphalt-electrosubAP: Sec 4: Relocate to New SiteAP: Section 4 Permit Issued
	Leo Journagan Construction T33N:R24W:S23 Bolivar Polk AP200606069	Received 6/19/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/19/2006042006-01030Asphalt-electrosub - BMPAP: Sec 4: Relocate to New SiteAP: Section 4 Permit Issued
Company: Location: City: County: Project#:	Midwest Mineral Pittsburg Portable Plant AP200511076	-	CompletedPermit #Days Used7/21/2006249Replace ScreenAP: IR Applicability Determination RequestAP: No Permit Required
	Mid County Materials 18502 Superior Rd Waynesville Pulaski AP200604077	Received 4/26/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/24/2006072006-00689Crushers and screenAP: IR Sec 5 & 6: Deminimis and MinorAP: Section 5 Permit Issued
	Mid County Materials 18502 Superior Rd Waynesville Pulaski AP200605073	Received 5/30/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/6/2006022006-01337Amend recordkeepingAP: IR Corrections & AmendmentsAP: Amendment Approved
	Continental Cement Company - Ilasco 10107 MO Hwy 79 Hannibal Ralls AP200509092	Received 9/29/2005 Description: Permit Type: Status:	CompletedPermit #Days Used7/11/2006072006-003285New KilnAP: Section 7, 8 & 9 Major Source ReviewAP: Section 8 Permit Issued
	Ennis Paint, Inc Hwy 79 S Saverton Ralls AP200404081	Received 4/1/2004 Description: Permit Type: Status:	CompletedPermit #Days Used7/12/2006OP2006-038832Add storage TanksAOP: Intermediate Operating PermitAP: Operating Permit Issued
Company: Location: City: County: Project#:	Associated Electric (Thomas Hill Plant) 5693 Hwy F Clifton Hill Randolph AP200605022	Received 5/9/2006 Description: Permit Type: Status:	CompletedPermit #Days Used7/21/200673Replace BurnersAP: Applicability Determination RequestAP: No Permit Required

	C. B. Asphalt, IncNorris Mt. Airy T53N:R15W:S09:NW Hwy 3 North of Mt Airy Huntsville Randolph AP200606106	Received 6/29/2006 Description: Permit Type: Status:	Completed 7/14/2006 Asphalt AP: Sec 4: Relo AP: Section 4 1		Days Used 15
Company: Location: City: County: Project#:	Sikeston Power Station 1551 W. Wakefield Street Sikeston Scott AP200603049	Received 3/10/2006 Description: Permit Type: Status:	Completed 7/12/2006 AOP: Phase II A AP: Acid Rain		Days Used 124 nit Renewal
	AFB International 937 Lone Star Drive O'Fallon St. Charles AP200605009		Completed 7/31/2006 New equipment AP: Applicabili AP: No Permit	ty Determination	Days Used 88 on Request
	LaFarge North America - St. Charles 2000 S RIVER RD SAINT CHARLES St. Charles AP200602085		Completed 7/28/2006 Replace stacker AP: Applicabili AP: No Permit	ty Determination	Days Used 155 on Request
	Superior Home Products, Inc 211 Edinger Road Wentzville St. Charles AP200605056	Received 5/22/2006 Description: Permit Type: Status:	Completed 7/3/2006 Add grinding be AP: Applicabili AP: No Permit	ty Determination	Days Used 42 on Request
	Union Electric Co, Sioux Plant 8501 N STATE ROUTE 94 West Alton St. Charles AP200511021		Completed 7/28/2006 Control Period AOP: NOx Proj AP: ERC Requ		Days Used 268 ce or Control Pe
Company: Location: City: County: Project#:	Leo Journagan at Ash Grove Dever Hwy EE El Dorado Springs St. Clair AP200606080	Received 6/22/2006 Description: Permit Type: Status:	Completed 7/19/2006 Asphalt-electror AP: Sec 4: Relo AP: Section 4 l	cate to New Si	Days Used 27
	Ameren UE - Meramec 800 Fine Rd St. Louis St. Louis AP200511019	Received 11/3/2005 Description: Permit Type: Status:	Completed 7/28/2006 Control Period AOP: NOx Proj AP: ERC Requ		Days Used 267 ce or Control Pe
Company: Location: City: County: Project#:	National Linen Service 315 Lynch St. Louis St. Louis City AP200603068	Received 3/10/2006 Description: Permit Type: Status:	Completed 7/31/2006 Terminate OP AOP: Basic Op AP: Operating		
	Swing-A-Way Mfg 4100 Beck St. Louis	Received 7/12/2006 Description:	Completed 7/24/2006 Terminate OP	Permit # OP	Days Used

Company: Location: City: County:	APAC Brickey's Stone LLC 13588 BRICKEYS RD Bloomsdale Ste. Genevieve	•	Completed 7/19/2006 New Portable C AP: IR Sec 5 &		Days Used 121 and Minor
Project#:	AP200603078	Status:	AP: Section 5 I		and minor
	Fischer Quarry - Pit 2	Received	Completed	Permit #	Days Used
Location:	5	2/28/2006	7/6/2006		128
City:	Bloomsdale	Description:			
County:	Ste. Genevieve	• •	AP: IR Sec 5 &		
Project#:	AP200603002	Status:	AP: Applicatio	n Withdrawn b	y Applicant
Company:	W. W. Wood Products, Inc.	Received	Completed	Permit #	Days Used
Location:	10331 Stanley Street	4/6/2006	7/13/2006		98
City:	Dudley	Description:	Heating		
County:	Stoddard	Permit Type:	: AP: Applicability Determination Request		
Project#:	AP200604016	Status:	AP: Closed out	, per policy	
Company:	W. W. Wood Products, Inc.	Received	Completed	Permit #	Days Used
Location:	10331 Stanley Street	4/7/2006	7/31/2006		115
City:	Dudley		New planer and		
-			AD. Sec 5 & 6.	Deminimis and	l Minor
County:	Stoddard	Permit Type:	AI . BCC 3 & 0.	Demining and	i Willioi
County: Project#:	Stoddard AP200604030	Permit Type: Status:	AP: No Permit		a Willion
Project#:					Days Used
Project#:	AP200604030	Status:	AP: No Permit	Required	
Project#: Company:	AP200604030 W. W. Wood Products, Inc.	Status:	AP: No Permit	Required Permit #	Days Used
Project#: Company: Location:	AP200604030 W. W. Wood Products, Inc. 10331 Stanley Street	Status: Received 6/19/2006 Description:	AP: No Permit Completed 7/11/2006	Required Permit # cking	Days Used
Project#: Company: Location: City:	AP200604030 W. W. Wood Products, Inc. 10331 Stanley Street Dudley	Status: Received 6/19/2006 Description:	AP: No Permit Completed 7/11/2006 Throughput Tra	Required Permit # cking ty Determinati	Days Used 22 on Request
Project#: Company: Location: City: County: Project#:	AP200604030 W. W. Wood Products, Inc. 10331 Stanley Street Dudley Stoddard AP200606105	Received 6/19/2006 Description: Permit Type:	AP: No Permit Completed 7/11/2006 Throughput Tra AP: Applicabili	Required Permit # cking ty Determinati	Days Used 22 on Request
Project#: Company: Location: City: County: Project#:	AP200604030 W. W. Wood Products, Inc. 10331 Stanley Street Dudley Stoddard	Received 6/19/2006 Description: Permit Type: Status:	AP: No Permit Completed 7/11/2006 Throughput Tra AP: Applicabili AP: Closed Ou	Required Permit # cking ty Determinati t Inappropriate	Days Used 22 on Request Request
Project#: Company: Location: City: County: Project#: Company:	AP200604030 W. W. Wood Products, Inc. 10331 Stanley Street Dudley Stoddard AP200606105 Lafarge North America	Status: Received 6/19/2006 Description: Permit Type: Status: Received	AP: No Permit Completed 7/11/2006 Throughput Tra AP: Applicabili AP: Closed Ou Completed 7/21/2006	Required Permit # cking ty Determinati t Inappropriate Permit #	Days Used 22 on Request Request Days Used
Project#: Company: Location: City: County: Project#: Company: Location:	AP200604030 W. W. Wood Products, Inc. 10331 Stanley Street Dudley Stoddard AP200606105 Lafarge North America 405 Hwy J	Received 6/19/2006 Description: Permit Type: Status: Received 5/22/2006 Description:	AP: No Permit Completed 7/11/2006 Throughput Tra AP: Applicabili AP: Closed Ou Completed 7/21/2006	Required Permit # cking ty Determinati t Inappropriate Permit #	Days Used 22 on Request Request Days Used 60

Operating Permit Progress Report as of 08-01-2006

		Permit	Info	APCP	Public		
		Log In	Requests	Review	Review	Issued	Total
Applicability							_
Determination	Subtotal	3	16	5	0	361	385
Requests	% of total	1%	4%	1%	0%	94%	13%
Basic	Subtotal	8	22	21	0	896	947
Permits	% of total	1%	2%	2%	0%	95%	32%
Intermediate	Subtotal	2	5	7	5	327	346
Permits	% of total	1%	1%	2%	1%	95%	12%
Part 70	Subtotal	0	7	16	4	453	480
Permits	% of total	0%	1%	3%	1%	94%	16%
Phase II Acid	Subtotal	0	1	0	0	50	51
Rain Permits	% of total	0%	2%	0%	0%	98%	2%
Local	Subtotal	0	0	0	0	205	205
Permits	% of total	0%	0%	0%	0%	100%	7%
Permit	Subtotal	14	54	31	5	447	551
Modifications	% of total	3%	10%	6%	1%	81%	19%
All	Total	27	105	80	14	2739	2965
Permits	% of total	1%	4%	3%	0%	92%	



Status of Ethanol Plants permitted by the Air Pollution Control Program (APCP) as of August 18, 2006

Installation Name	City/County	Production Capacity (Million Gallons)	Operating Status
Northeast Missouri Grain	Macon/Macon	50	Operating
Golden Triangle	Craig/Holt	22	Operating
Mid-Missouri Energy	Malta Bend/Saline	45	Operating
Missouri Ethanol	Laddonia/Audrain	56	Under construction
Bootheel Agri-Energy LLC	Sikeston/Scott	120	The APCP received a construction permit application on May 2, 2006 and a revised application on July 28, 2006. The APCP is working with the company to complete the required air quality modeling analyses and other technical information to consider the application complete.
Bootheel Ethanol (SEMO)	Malden/Dunklin	15	Not commenced construction. The APCP issued a construction permit in August 2001, granted an extension of this permit in February 2004 and issued a permit modification, with corrected special conditions in January 2005. Bootheel has until January 2007 to commence construction under this permit.
Lifeline Foods, LLC St. Joseph/Buchanan		50	The APCP received a construction permit application on January 30, 2006. The APCP is working with the company to complete the required air quality modeling analyses to consider the application complete.
Renewable Power of Missouri	Marshall/Saline	50	Not commenced construction. The APCP issued a construction permit in July 2002, granted an extension of this permit in April 2005 and issued a permit modification, increasing production from 31.5 to 50 Mgal in June 2006. Renewable has until June 2008 to commence construction under this permit.
Renewable Power of Missouri	wable Power of Missouri Cape Girardeau/ Cape Girardeau		Not commenced construction. The APCP issued a construction permit in December 2003 and granted a one year extension of this permit in December 2005. Renewable has until December 2006 to commence construction under this permit.

Note: In addition to the ethanol plants listed above, the APCP has participated in several pre-application meetings/conference calls regarding additional proposed ethanol plants. The APCP will include details of these installations when applications are received.

The APCP strongly encourages pre-application meetings for all ethanol plants.

Status of Biodiesel Plants permitted by the Air Pollution Control Program (APCP) as of August 18, 2006

Installation Name	City/County	Production Capacity (Million Gallons)	Operating Status
Archer Daniels Midland	Mexico/Audrain	36	Not commenced construction. Received construction permit March 22, 2006.
Eviron MX	Alexandria/Clark	0.365	Operating status unknown. Due to level of emissions, no construction permit is required from the APCP for the operation of this facility.
Global Fuels	Dexter/Stoddard	3	Not commenced construction. Due to level of emissions, no construction permit is required from the APCP for the operation of this facility. A basic operating permit is required.
Missouri Bio-Fuels	Bethel/Shelby	2	Operating - no air permits needed due to level of emissions
Northwest Biofuels	St. Joseph/Buchanan	3	Not commenced construction. Due to level of emissions, no construction permit is required from the APCP for the operation of this facility. A basic operating permit is required.
Prairie Pride	Eve/Vernon	33	The APCP received a construction permit application on June 5, 2006. The APCP is currently reviewing this application. The APCP issued a pre-construction waiver on June 29, 2006. This waiver allows for the construction, but not operation, of the proposed facility prior to the receipt of the air permit.

Note: There are other biodiesels operations in the state. However, the facilities listed above are the only facilities that have submitted air permit projects to the APCP. Depending on the size of operations, biodiesels plants may not need air permits.

Therefore, the APCP would not necessarily have any information on these facilities in our databases.

RULE AND SIP AGENDA

August 31, 2006 Jefferson City, MO

ACTIONS FOR PUBLIC HEARING:

* Missouri State Implementation Plan – Grossman Iron and Steel Source Registration Permit

The Missouri Department of Natural Resources' Air Pollution Control Program is proposing to amend the Missouri State Implementation Plan to include a revised source registration permit for Grossman Iron and Steel located in St. Louis, Missouri. This revised permit incorporates operating permit procedures and record keeping requirements from Grossman's September 10, 2004 compliance plan. The 2004 compliance plan reduces particulate matter emissions from the Grossman property.

ACTIONS TO BE VOTED ON:

* 10 CSR 10-6.345 Control of NOx Emissions From Upwind Sources

The purpose of this rule is to protect the air quality in the St. Louis area by addressing NOx sources proposed for construction outside and upwind of the St. Louis ozone nonattainment area. The rule limits NOx emissions of sources around the St. Louis ozone nonattainment area to what the department considers an acceptable level, while providing a more transparent and predictable regulatory process for sources seeking permits.

* 10 CSR 10-6.070 New Source Performance Regulations

This amendment incorporates by reference 40 CFR part 60 subparts amended between January 1, 2003 and June 30, 2004. This year's amendment update includes amendments to previously adopted subparts in the following source categories: Hospital/Medical/Infectious Waste Incinerators, Volatile Organic Liquid Storage Vessels, and Bulk Gasoline Terminals. These updates will be explained in detail during the public hearing.

Additionally, titles of all subparts have been updated to reflect the federal titles and a reference note has been added regarding operating permit requirements that also may be applicable.

* 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations

This amendment adopts by reference 18 new 40 CFR part 63 subparts finalized between January 1, 2003 and June 30, 2004. New subparts include the following source categories: Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production; Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations; Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline); Hazardous

Air Pollutants for Miscellaneous Organic Chemical Manufacturing; Hazardous Air Pollutants for Surface Coating of Automobiles and Light-Duty Trucks; Hazardous Air Pollutants for Surface Coating of Metal Cans; Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products; Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products; Hazardous Air Pollutants for Stationary Combustion Turbines; Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines; Hazardous Air Pollutants for Lime Manufacturing Plants; Hazardous Air Pollutants for Iron and Steel Foundries; Hazardous Air Pollutants for Site Remediation; Hazardous Air Pollutants for Miscellaneous Coating Manufacturing; Hazardous Air Pollutants for Mercury Emissions From Mercury Cell Chlor-Alkali Plants; Hazardous Air Pollutants for Taconite Iron Ore Processing; Hazardous Air Pollutants for Refractory Products Manufacturing; and Hazardous Air Pollutants for Primary Magnesium Refining.

Additionally, this amendment updates previously adopted subparts in the following source categories: Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations); Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills; Generic Maximum Achievable Control Technology Standards; and Hazardous Air Pollutants for Engine Test Cells/Standards. These updates will be explained in detail during the public hearing.

Finally, the subpart for Asphalt Processing and Roofing Manufacturing has been corrected.

* 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants

This amendment updates 40 CFR part 61 subparts finalized between January 1, 2003 and June 30, 2004 previously adopted by reference. This includes direct final amendments to the Hazardous Air Pollutants for Asbestos and Benzene Waste Operations source categories. These amendments will be explained in greater detail during the public hearing.

In addition, a reference note has been added regarding operating permit requirements that also may be applicable.

* 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information

This proposed amendment will establish the emission fee for Missouri facilities as required annually by 643.070 and 643.079, RSMo. The air emission fee for calendar year 2006 is proposed to remain at \$34.50 per ton of regulated air pollutant.

This proposed amendment will also change April 1 due dates for emission fees and emission inventory questionnaires for April 1 Standard Industrial Classifications to June 1 so all Classifications

ACTIONS FOR PUBLIC HEARING:

* Missouri State Implementation Plan - St. Louis 8-Hour Ozone Nonattainment Area Reasonably Available Control Technology (RACT) Demonstration

The purpose of this demonstration is to document that the Missouri Department of Natural Resources has reviewed Missouri's obligation to implement reasonably available control technologies on major air pollution sources in the Missouri portion of the St. Louis ozone nonattainment area, and, to certify that RACT controls previously incorporated under the earlier 1-hour ozone standard represent RACT for the 8-hour ozone standard. According to the U.S. Environmental Protection Agency's final 8-Hour Ozone National Ambient Air Quality Standards (NAAQS) implementation rule, areas such as St. Louis which are classified as moderate ozone nonattainment areas must submit a demonstration that their current rules fulfill 8-hour ozone RACT for all Control Techniques Guidelines (CTG) categories and all major, non-CTG sources as a revision to their State Implementation Plans (SIPs). This document is intended to serve as the necessary SIP revision.

ACTIONS TO BE VOTED ON:

* Missouri State Implementation Plan – Grossman Iron and Steel Source Registration Permit

The Missouri Department of Natural Resources' Air Pollution Control Program is proposing to amend the Missouri State Implementation Plan to include a revised source registration permit for Grossman Iron and Steel located in St. Louis, Missouri. This revised permit incorporates operating permit procedures and record keeping requirements from Grossman's September 10, 2004 compliance plan. The 2004 compliance plan reduces particulate matter emissions from the Grossman property.

ACTIONS FOR PUBLIC HEARING:

(None Scheduled)

ACTIONS TO BE VOTED ON:

* Missouri State Implementation Plan - St. Louis 8-Hour Ozone Nonattainment Area Reasonably Available Control Technology (RACT) Demonstration

The purpose of this demonstration is to document that the Missouri Department of Natural Resources has reviewed Missouri's obligation to implement reasonably available control technologies on major air pollution sources in the Missouri portion of the St. Louis ozone nonattainment area, and, to certify that RACT controls previously incorporated under the earlier 1-hour ozone standard represent RACT for the 8-hour ozone standard. According to the U.S. Environmental Protection Agency's final 8-Hour Ozone National Ambient Air Quality Standards (NAAQS) implementation rule, areas such as St. Louis which are classified as moderate ozone nonattainment areas must submit a demonstration that their current rules fulfill 8-hour ozone RACT for all Control Techniques Guidelines (CTG) categories and all major, non-CTG sources as a revision to their State Implementation Plans (SIPs). This document is intended to serve as the necessary SIP revision.

PUBLIC HEARING ON

PROPOSED REVISION TO

MISSOURI STATE IMPLEMENTATION PLAN – GROSSMAN IRON AND STEEL REVISED SOURCE REGISTRATION PERMIT

The Missouri Department of Natural Resources' Air Pollution Control Program is proposing to amend the Missouri State Implementation Plan (SIP). This proposed change to the SIP will include the revised source registration permit for Grossman Iron and Steel. The revised permit incorporates operating procedures and record keeping requirements from Grossmans' September 10, 2004 compliance plan that reduces fugitive particulate matter emissions from the Grossman facility. Additional facility information is included in the technical support document provided here for reference and will be submitted to the U.S. Environmental Protection Agency in support of the SIP revision.

If the commission adopts this plan action, it is the department's intention to submit this plan action to the U.S. Environmental Protection Agency for inclusion in the state implementation plan.

Technical Support Document

Background

On April 9, 2004, the City of St. Louis issued a Notice of Violation #2175 (NOV) to Grossman Iron & Steel (Grossman) relating to particulate matter emissions observed leaving Grossman's premises at 5 North Market Street St. Louis. During meetings following the issuance of the NOV, the city requested that Grossman provide a compliance plan in response to the NOV.

Grossman submitted a compliance plan on June 3, 2004. Staff from the city and from the Department of Natural Resources (department) air program reviewed that plan. The review by the city and the department found the plan to be incomplete.

On September 10, 2004, Grossman submitted an amended compliance plan to the city and the department. On September 24, 2004, the department sent a letter to Grossman accepting the compliance plan.

In a December 21, 2004 letter, the department informed Grossman that a consent agreement needed to be developed to address the PM10 exceedances that had occurred over the last three years.

Proposed SIP Revision

The USEPA has told the department and Grossman representatives that a SIP revision which incorporates appropriate elements of the Grossman compliance plan could be used as an alternative to a consent agreement if the SIP revisions were incorporated into a document which can be made federally enforceable. The proposed SIP revision is the revised Grossman Source Registration Permit SR00.045A. The operating practices in the revised permit are important in ensuring that the National Ambient Air Quality Standard for PM10 is not violated. This permit contains the elements of Grossman's compliance plan which will extend into the future and which, through USEPA approval, will become federally enforceable

In addition to the ongoing requirements that are contained in the revised permit, there are several additional one-time actions which Grossman has already taken. These include:

Action	Date Completed
Send letters to scrap suppliers, particularly building and demolition contractors, asking that they use best efforts to minimize the amount of non-metallic waste in scrap metal loads.	September 2004
Distribute notices to retail and dealer suppliers who deliver to	September 2004

Grossman's facility asking that they use best efforts to minimize the amount of non-metallic waste in scrap metal loads.	
Commence work to reduce the size of scrap piles.	September 2004
Apply Polymer Modified Asphalt Emulsion to the gravel lot	August 2004
south of North Market Street.	
Repair hardscaped areas to facilitate sweeping and watering.	October 2004
Complete installation of additional hardscaped surfaces.	February 2006
Complete installation of shredder process to assist with	February 2006
minimizing the amount of scrap stored on site.	

Air Quality Impact of the SIP Revision

Each proposed SIP revision's impact on air quality is difficult to quantify, but the impact of the entire package is more easily estimated. Reductions in air emissions associated with Grossman's operations upon implementation of this SIP are associated with three emission source types: paved road emissions, unpaved road emissions, and emissions from material drops.

Emission estimates were made using methodologies in USEPA's AP-42, Chapter 13 Miscellaneous Sources, Section 2 Fugitive Dust Sources. These methodologies require specific information regarding production, types of vehicles, silt content and moisture content. Some data are available and while assumptions were made for other data based upon information provided in AP-42 as well as observations of the site.

Using these data and assumptions the following emission estimates were made for the fugitive dust sources impacted by the compliance plan:

- Estimated emissions from paved roads dropped from 1.00 tpy to 0.79 tpy.
- Estimated emissions from unpaved roads dropped from 6.91 tpy to 0.43 tpy.
- Estimated emissions from material drop operations went from 9.64 tpy to 3.24 tpy.

These emissions calculations show a reduction in particulate matter (PM10) emissions after implementation of the compliance plan of 13.09 tons per year from 17.55 tons per year to 4.46 tons per year.

The data and procedures used for the emission reduction estimates are presented in Attachment A.

Attachment A Emission Estimate Details

PAVED ROADS

25% of scrap arrives and departs by rail

85% of incoming road traffic is Grossman 20 ton trucks, carrying 17 tons of material

10% of incoming road traffic is 20 ton private trucks, carrying 17 tons of material

5% of incoming road traffic is 2 ton private vehicles, carrying 1.5 tons of material

100% of outgoing road traffic is Grossman 20 ton trucks, carrying 17 tons of material

Intrafacility traffic 10 ton front end loaders and cranes

miles per outgoing Grossman trucks

0.170 miles per intrafacility trip

There are 2 intrafacility trips an hour for 10 hour day, 6 days per week, 52 weeks per year post compliance plan.

11,624	incoming Grossman trucks							
1,368	incoming private trucks							
7,750	incoming private vehicles							
13,676	outgoing Grossman trucks							
6,240	"trips" for intrafacility traffic after com	npliance plan						
34,418	total vehicle count before compliance	plan						
40,658	total vehicle count after compliance pla	an						
Pre-Comp	oliance Plan Trip Length							
0.049	miles per incoming Grossman trucks		572	miles/year				
0.076	miles per incoming private vehicles		691	miles/year				
0.025	miles per outgoing Grossman trucks		337	miles/year				
		Total	1,600					
Post-Con	pliance Plan Trip Length							
0.277	miles per incoming Grossman trucks		3,214	miles/year				
0.246	miles per incoming private vehicles		2,245	miles/year				

Below factors are used in equations listed in USEPA AP-42 Chapter 13.2.1. Unless otherwise noted default values for these factors were obtained from this reference.

Total

2,927

1,064

9,450

miles/year

miles/year

			NOTES	
$\mathbf{k} =$	0.016	lb/VMT	Based upon PM-10 particle size	
C =	0.0005	lb/VMT	Based upon PM-10 particle size	
P =	111	days/yr	Figure on Page 13.2.1-8	
$P_{compl} =$	365	days/yr	Grossman operates the water truck daily when the facility is operating.	
N =	365	days/yr		
sL =	39	g/m^2	Table 13.2.1-4 Page 13.2.1-11 Iron and Steel Production median	
$sL_{compl} =$	9.7	g/m^2	Table 13.2.1-4 Page 13.2.1-11 Iron and Steel Production mean	
$\mathbf{W} = \mathbf{\hat{x}}$	15.9	tons	Weighted average based upon vehicle assumptions above.	
$W_{compl} =$	15.0	tons	Weighted average based upon vehicle assumptions above.	
				_
E =	1.25	lb/VMT	1,998 lbs/year 1.00 tpy	
$E_{compl} =$	0.17	lb/VMT	1,576 lbs/year 0.79 tpy	

UNPAVED ROADS

25% of scrap arrives and departs by rail

85% of incoming road traffic is Grossman 20 ton trucks

10% of incoming road traffic is 20 ton private trucks

5% of incoming road traffic is 2 ton private vehicles

100% of outgoing road traffic is Grossman 20 ton trucks

0.085 miles per outgoing Grossman trucks

0.170 miles per intrafacility traffic

Intrafacility traffic 10 ton front end loaders and cranes

There were 4 intrafacility trips an hour for 10 hour day, 6 days per week, 52 weeks per year pre-compliance plan. There are 2 intrafacility trips an hour for 10 hour day, 6 days per week, 52 weeks per year post compliance plan.

2004

11,624	incoming Grossman trucks		
	incoming private		
1,368	trucks		
7,750	incoming private vehicles		
13,676	outgoing Grossman trucks		
12,480	"trips" for intrafacility traffic before compliance pl	an	
6,240	"trips" for intrafacility traffic after compliance plan	1	
46,898	total vehicle count before compliance plan		
40,658	total vehicle count after compliance plan		
Pre-Complian	ce Plan Trip Length		
0.227	miles per incoming Grossman trucks	2642	miles/year
0.170	miles per incoming private vehicles	1554	miles/year
0.275	miles per outgoing Grossman trucks	3756	miles/year
0.341	miles per intrafacility traffic	4255	miles/year
	Total	12,206	
Post-Complian	nce Plan Trip Length		
0.000	miles per incoming Grossman trucks	0	miles/year
0.000	miles per incoming private vehicles	0	miles/year

Below factors are used in equations listed in USEPA AP-42 Chapter 13.2.2. Unless otherwise noted default values for these factors were obtained from this reference.

Total

1,166

1,064

2,229

miles/year

miles/year

			NOTES
k =	1.5		Based upon PM-10 particle size
		silt content	
s =	6	(%)	Table 13.2.2-1 for Iron and Steel Production
$\mathbf{W} =$	14.4	tons	Weighted average based upon vehicle assumptions above.
$W_{compl} =$	15.0	tons	Weighted average based upon vehicle assumptions above.
a =	0.9		Based upon PM-10 particle size
b =	0.45		Based upon PM-10 particle size
P =	111	days/yr	Figure on Page 13.2.2-9
$P_{compl} =$	281	days/yr	
			Grossman operates the water truck daily when the facility is operating.
			Based on AP-42 this would eliminate unpaved roadway emissions, which we
			believe is unrealistic. Therefore, we assumed sufficient watering occurred on
			2/3 of days where rainfall did not exceed 0.01 inches.

$\mathbf{E} =$	1.13	lb/VMT	13,815	lbs/year	6.91	tpy
$E_{compl} =$	0.38	lb/VMT	852	lbs/year	0.43	tpy

Materials Handling

All material handled is dropped an average of 6 times while on site before compliance plan All material handled is dropped an average of 4 times while on site after compliance plan

Below factors are used in equations listed in USEPA AP-42 Chapter 13.2.4. Unless otherwise noted default values for these factors were obtained from this reference.

				NOTES		
k =	0.35			Based upon PM-10 particle	size	
		mean wind speed				
U =	12	(mph)		(see note 1 below)		
$\mathbf{M} =$	0.92	moisture content (%)	Table 13.2.4-1 Page 13.2.4	-2 Iron	and Steel Production slag mean
				Table 13.2.4-1 Page 13.2.4	-2 Iron	and Steel Production slag
$M_{compl} =$	1.5	moisture content (%)	median		
		lb/ton				
$\mathbf{E} =$	0.0104	dropped 19,	280	lbs/year	9.64	tpy
		lb/ton				
$E_{compl} =$	0.0052	dropped 6,	483	lbs/year	3.24	tpy

National Climatic Data Center "Climatic Wind Data for the United States" November 1998 for years 1930 to 1996. High mean wind speed for any one month (March)

STORAGE PILE WIND EROSION

Not enough information to provide a meaningful estimate.

CONCLUSION

Fugitive Emissions before compliance plan	17.55	tpy
Fugitive Emissions after compliance plan	4.46	tpy
Emission Reduction from compliance plan	13.09	tpy

Division 10 - Air Conservation Commission

Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission adopts a rule as follows:

10 CSR 10-6.345 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2006 (31 MoReg 919-920). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program (APCP) received a total of six (6) comments on this rulemaking. Five (5) of the comments support the rulemaking as proposed, with no changes suggested. One (1) comment supported the fundamental objectives of the rule, but stated that the rulemaking failed to address the fundamental reasons for the rule. The comment provided suggested revisions to the proposed rule to clarify the implementation.

Due to similar support addressed in the following five (5) comments, one (1) response can be found at the end of these five (5) comments.

COMMENT: The Regulatory Environmental Group for Missouri (REGFORM), supports the rule as proposed. REGFORM was an active participant in the development of 10-6.345 on the control of nitrogen oxide (NOx) emissions, and supports the changes to this rule. They commend the department for its continued efforts on this stakeholder process and for getting input from stakeholders at an early opportunity so that they could work together on a rulemaking that makes sense. REGFORM also looks forward to continuing to work with the department in the future.

COMMENT: The St. Louis Regional Chamber and Growth Association (RCGA), supports the rule as proposed. St. Louis struggles still to meet the 2010 attainment deadline to meet the eighthour standards. RCGA talks to businesses who are considering moving into the St. Louis area, relocating and so forth, and the attainment status really is an issue. To the extent that this rule makes things a little more predictable, a little more consistent for businesses coming into the area, it's a real positive thing for economic growth in the area. It was a very intense stakeholder effort, and they certainly appreciate the many hours the staff put in on this. A lot of time was spent hammering out the Supplemental Emission Reductions (SERs), the credit program and what kind of constraints are needed to get real emission reductions. This rule is a good product.

COMMENT: Ameren fully supports and endorses this rule. This rule is a major step in both achieving and maintaining the ozone and the fine particulate standards in the St. Louis area. Attaining both of these standards is going to be a challenge, but with this rule another step toward cleaner air has been taken. As a participant in the stakeholder process, they realize that developing this rule was at times very arduous considering the diversity of the stakeholder group. This group included industry, government and the environmental community. The department's Air Pollution Control Program should be applauded for its efforts in keeping the process on track and for developing a land mark regulation thru this difficult consultative process.

COMMENT: The St. Louis Regional Chamber and Growth Association (RCGA), as an active participant in the development of the upwind NOx proposal, supports this rule as proposed. To ensure that the St. Louis area attains the federal ozone standard by the June 2010 deadline and continues to meet standards in the long run, large new NOx sources immediately upwind of the nonattainment boundaries should be permitted with some consideration of ozone impacts. The department's Air Pollution Control Program has tried to address this on an ad hoc basis in individual construction permits, but the ad hoc approach has left both the agency and affected applicants uncertain about what should be required. The proposed rule at subsection (3)(B) retains computer modeling as an option for new or modified large NOx sources seeking a construction permit. The other options in subsection (3)(A) provide greater predictability for businesses considering a new or expanded facility near St. Louis.

COMMENT: The United States Environmental Protection Agency (U.S. EPA) supports this rule which was designed to address large NOx point sources upwind of a nonattainment area. In the past several years, this rule has been developed through a workgroup process and has been through several iterations. Having been involved with this workgroup process, they recognize this rule as being innovative, and they acknowledge that this rule provides flexibility to sources but also strives to achieve meaningful environmental results. Given the innovative nature of the rule, they encourage the Missouri Air Conservation Commission (MACC) to adopt this rule, but request that it not be included into the State Implementation Plan at this time.

RESPONSE: The department's Air Pollution Control Program appreciates the involvement of the workgroup members in developing this rule. This rule proactively addresses large sources of nitrogen oxides that could affect air quality in the St. Louis area. No changes were made to the proposed rule as a result of these comments.

COMMENT: The Chemical Line Company (CLC) has participated in the various stakeholder processes that led to the development of the proposed rule. Although CLC agrees with the fundamental objectives of the new rule, there are serious problems with the final proposal that fail to address one of the fundamental underlying reasons for the rule. In addition, CLC is providing suggested revisions to clarify the implementation of the proposed rule. The definition of baseline emission inventory fails to address a fundamental objective of the proposed rule. During the stakeholder process, CLC recommended that the 2002 Missouri emission inventory be used as the baseline emission inventory defined in the proposed rule. Missouri is using the 2002 inventory as the baseline inventory in the development of the St. Louis 8-hour ozone state implementation process, which is consistent with EPA guidance. The 2002 emission inventory is much more representative of current patterns of NOx emissions than the now ten year old 1996 inventory that would be required to be used by the proposed rule. CLC suggests that the definition of baseline emission inventory be revised to allow the 2002 inventory. The definition of project-specific net emissions increase is ambiguous and unclear. The definition introduces a

new measure of emissions increase for purposes of the proposed rule. One of the criteria for applicability of the proposed rule is whether or not new emission sources or modifications are subject to prevention of significant deterioration (PSD) review. The PSD program uses a number of carefully defined terms that have been subject to years of regulatory and judicial interpretation. Introducing an entirely different measure of emissions increase will lead to further uncertainty and confusion of the part of the regulated community, the permitting agencies and the public. Because of the ambiguity of the defined term in the proposed rule, CLC is uncertain as to the department's intent and cannot offer any substantial suggestions to clarify the intent. CLC also provides suggested revisions to the proposed rule that CLC believes provides clarity to the rule and assures consistency with other portions of the *Code of State Regulations*. For example, the proposed definition of SER is not consistent with proposed subparagraph (3)(A)4.A. Also, the amount of NOx emission reductions required for certain sources subject to the proposed rule are not consistently stated.

RESPONSE AND EXPLANATION OF CHANGE: The department's Air Pollution Control Program appreciates the involvement of the CLC in developing this rule.

CLC proposes language for the definition of baseline inventory that is not substantively different than the rule. The proposed rule provides for the most current approved emission inventory to be utilized in the baseline emission inventory calculation. The use of the most recent approved emission inventory will allow for the State Implementation Plan (SIP) process to identify potential errors in the inventory and not penalize or reward companies by having an inaccurate inventory as the baseline. It will ensure consistent treatment of all sources in (or out of) the baseline inventory for the purposes of this rule. It should be noted that, as mentioned in public hearing, this rule will not be submitted for inclusion in the Missouri SIP as initially described in the regulatory impact report.

In its comment on the definition of project specific net emissions increase, CLC addresses the use of project-specific net emission increase and its comparability to similar terms within the PSD program. The use of this term is necessary due to the ever-changing nature of the net emission increase in New Source Review (NSR). This project-specific net NOx emissions increase is the difference between the projected allowable emission level, after Best Available Control Technology (BACT) control, and the baseline emission level for that unit (zero if a new unit) in tons per ozone season. The baseline is based on a fixed ozone season inventory utilized in the most current approved version of the SIP for ozone in St. Louis. The use of the netting or emission increase calculation for a modification in 40 CFR 52.21(b)(3)(i)(a) is not acceptable for the purposes of this rule because it changes the baseline comparison and does not represent a difference from the attainment demonstration/modeling exercise that would be meaningful. Therefore, the use of this term is necessary to clarify that this is a different measure than those found in other parts of the major source construction permit program.

Regarding the use of PSD terms in this rule, the major modification regulations are not necessarily based on the same calculation as the upwind NOx rule project net emission difference. However, the initial trigger for inclusion in the upwind NOx rule is PSD applicability. Therefore, if a source does not trigger the PSD NOx emission threshold, it would not be considered under this regulation regardless of its project net emission increase. The key difference in this situation is the use of the major modification emission calculation methodology

differences between this rule and the corresponding permitting thresholds for NSR. The department's Air Pollution Control Program has considered this issue and is confident that the current rule is explicit and provides the necessary clarity for implementation.

A change was made to the definition of SERs in response to the comment about clarity within the rule. The definition will now refer to beyond BACT emission controls. For the purposes of this rule, it should be noted that the Potential to Emit for the project will be the post-BACT emissions during the ozone season.

Regarding the consistency of NOx reductions, the rule is specific in treating sources (e.g. utilities) that are part of the NOx SIP call or Clean Air Interstate Rule (CAIR) trading programs. The provisions in paragraph (3)(A)3. are designed to ensure that a source that meets the applicability requirements are given the full range of control options with respect to all other sources in the trading program. The rule, also, specifically requires purchasing allowances from the county that includes the new source or in the St. Louis 8-hour ozone nonattainment area for emission increases over 900 tons per ozone season. These provisions are consistent with the manner that another new source subject to the rule would be treated. In summary, the new utility source would have to offset all the emission increases by purchasing allowances in either trading program, but would only be allowed to be trade allowances from units in the nonattainment area for emissions above 900 tons per ozone season.

10 CSR 10-6.345 Control of NOx Emissions From Upwind Sources

- (1) Applicability.
 - (A) This rule shall apply to new emission sources or modifications in Perry, St. Genevieve, St. François, Washington, and Warren Counties that trigger Prevention of Significant Deterioration (PSD) review for nitrogen oxides (NO_x);
 - (B) This rule shall apply to sources with a project-specific net emissions increase greater than nine hundred (900) tons of NO_x during ozone season; and
 - (C) This rule will expire five (5) years from the effective date.

(2) Definitions.

- (A) Baseline emission inventory—The most current approved emission inventory for the state of Missouri that has been utilized in developing the State Implementation Plan (SIP), including attainment demonstration modeling, for the St. Louis ozone nonattainment area calculated on a tons per ozone season basis.
- (B) Ozone season—From May 1 through September 30 of each year.
- (C) Project-specific net emissions increase—The difference between permitted emissions to be emitted by the project that triggered PSD review and the baseline emission inventory for the applicable project.
- (D) Supplemental Emission Reductions (SERs) = Equals Potential to Emit minus beyond Best Achievable Control Technology (BACT) emission controls minus emission offsets minus credits minus nine hundred (900) tons per ozone season.
- (E) Definitions of certain terms specified in this rule, other than those defined in this rule section, may be found in 10 CSR 10-6.020.

- (3) General Provisions.
 - (A) Sources that meet the applicability requirements of subsections (1)(A) and (1)(B) of this rule shall meet either the following requirements or the requirements of subsection (3)(B) of this rule. The source shall apply one (1) or more of the following emission reduction strategies sufficient to ensure that the overall emission increase for NO_x does not exceed nine hundred (900) tons during the St. Louis ozone season:
 - 1. The source applies beyond-BACT emission controls to the PSD emission unit and/or accepts ozone-season operating limitations on the unit.
 - 2. The source obtains 1:1 emission offsets for NO_x emissions, under the Missouri emission banking and trading rule 10 CSR 10-6.410.
 - 3. The source satisfies the requirements of subsection (3)(A) of this rule by being subject to a NO_x cap and trade program where the total NO_x tons emitted by all affected sources in the program is capped on an ozone season or annual basis and meets the following requirements:
 - A. The newly constructed source is in full compliance with the NO_x cap and trade program; and
 - B. The actual NO_x tons emitted during the ozone season in excess of nine hundred (900) tons required for compliance with the NO_x cap and trade program is acquired from sources subject to the NO_x cap and trade program located in the St. Louis eight (8)-hour ozone nonattainment area or located in the same county as the source.
 - 4. The source obtains SERs. Capital funds for SER projects must be expended by the permittee, or transferred to a third party trustee under contract to complete SER work, prior to operational startup of the new or modified emission unit that required PSD review.
 - A. The minimum required SER is calculated as follows:
 - (I) Determine the overall ozone season NO_x emissions considering any emission controls, offsets, and credits from paragraphs (3)(A)1.–(3)(A)3. of this rule; and
 - (II) Subtract nine hundred (900) tons.
 - B. In order to be approved, the SER measure must provide emission reductions that meet the criteria requirements described below—
 - (I) Quantifiable Emission reductions must be calculated for the time period for which the reductions will be used. The applicant must provide a detailed estimate of the amount and type of emissions that will be reduced, and a clear methodology as approved by the staff director for how the estimates were derived. The estimate must be based on U.S. Environmental Protection Agency (EPA) guidance if available, or best available scientific information;
 - (II) Surplus Emission reductions are surplus as long as they are not otherwise relied on to meet other applicable air quality attainment and maintenance requirements. In addition, to be considered surplus the emissions from

- control measures must be a part of the State Implementation Plan emission inventory;
- (III) Federally enforceable Control measures to reduce emissions must be enforceable through a permit issued under a SIP approved permitting program, or must meet enforceability requirements of EPA guidance for mobile source voluntary measures or stationary source emerging and voluntary measures; and
- (IV) Permanent The emission reductions must be permanent throughout the term that the emission reduction is used.
- C. To qualify for SER credit for the retrofit of mobile source and nonroad equipment that operate primarily within the same county, or within the St. Louis ozone nonattainment area, the source must ensure the retrofit meets the following requirements:
 - (I) On-road equipment must not be greater than ten (10) years old at the time of retrofit;
 - (II) Retrofit of equipment with engines manufactured in year 2007 or later do not qualify for SER credit;
 - (III) If such equipment is not owned by the PSD permittee, the equipment owner must contractually agree to accept and maintain the retrofit equipment until the mobile source or equipment is sold or scrapped, and to meet part (3)(A)4.C.(V) of this rule.
 - (IV) These retrofit controls must be designed to reduce NO_x and hydrocarbon emissions, though they may also control other pollutants; and
 - (V) When retrofitted mobile equipment is sold or scrapped, any replacement units must meet NO_x and hydrocarbon emission rates at least as stringent as the retrofitted units.
- D. The following mobile and nonroad retrofit equipment and replacement units are approved for SER credit, subject to subparagraph (3)(A)4.C. of this rule, if applicable:
 - (I) Retrofit with oxidation catalyst;
 - (II) Conversion of gasoline or diesel engines to use exclusively natural gas, liquefied petroleum gas, propane, or hydrogen;
 - (III) Replacement of an engine with an engine that meets
 California Air Resources Board or post-2007 federal
 emission requirements for new on-road or nonroad engines
 at the time of engine replacement;
 - (IV) Replacement of nonroad equipment powered with engines of nineteen (19) kilowatts or less, with equipment that meets federal emission requirements for new equipment of that type at the time of replacement. Equipment replaced must be operable at the time of replacement and rendered incapable of reuse afterwards; and

- (V) Replacement of portable gasoline containers used primarily within the St. Louis ozone nonattainment area, with portable containers that meet the spill control and permeability requirements of the California Air Resources Board. Portable containers replaced must be rendered incapable of reuse as a container.
- E. The following emission reduction projects may be used to generate SER credit:
 - NO_x emission control equipment purchased with SER (I) funds may be installed on existing stationary emission sources owned by a third party within the same county, or within the St. Louis ozone nonattainment area. Volatile organic compound (VOC) emission control equipment must be installed on existing stationary sources within the St. Louis ozone nonattainment area. The third party owner must contractually agree to accept and maintain the emission control equipment until the emission unit is retired, replaced, or fitted with replacement emission controls. The third party owner must also agree to make the controls federally enforceable. Resulting NO_x or VOC emission reductions must exceed existing emission control levels and those required by any promulgated federal or Missouri rule:
 - (II) Installation of anti-idling support equipment. This equipment includes electrical service and cab heating/air conditioning for heavy duty truck or locomotive idling areas such as switch yards, truck stops, rest stops, and loading docks, located in the same county as the PSD emission source or in the St. Louis ozone nonattainment area; or
 - (III) Other emission reduction projects approved by the department. An approvable SER project will provide NO_x or VOC emission reductions which would not occur otherwise in a timely manner.
- (B) Sources subject to this rule may conduct regional transport modeling based on an approved protocol and submit the results to the Missouri Department of Natural Resources' Air Pollution Control Program for verification to demonstrate that post-control emissions of ozone precursors (NO_x and VOC) from the new or modified emission source will not raise the predicted ozone level at any critical grid cell in the St. Louis fine-grid modeling domain more than one (1) part per billion (ppb). Critical grid cells are those grid cells in the St. Louis nonattainment area where the maximum daily eight (8)-hour ozone concentration, determined from the control case modeling, is equal to or greater than eighty (80) ppb. Modeled post-control emissions will account for on-site emission levels, and also could account for emission offset reductions obtained at other locations, if identifiable and not already considered in the baseline emission inventory after

adjusting for any applicable local, state, or federal control measures. SERs will not be considered in the modeling. Application of the model must meet minimum requirements set forth in written guidance issued by the department. A modeled impact on critical grid cells less than one (1) ppb using the procedures identified in the guidance shall be sufficient to meet this requirement.

- (4) Reporting and Record Keeping. (Not Applicable)
- (5) Test Methods. (Not Applicable)

Division 10 - Air Conservation Commission

Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-6.070 New Source Performance Regulations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2006 (31 MoReg 906-908). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No written or verbal comments were received concerning this proposed amendment during public comment period.

Division 10 - Air Conservation Commission

Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2006 (31 MoReg 908-910). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No written or verbal comments were received concerning this proposed amendment during public comment period.

Division 10 - Air Conservation Commission

Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2006 (31 MoReg 910-911). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No written or verbal comments were received concerning this proposed amendment during public comment period.

COMMENTS AND RESPONSES ON

PROPOSED AMENDMENT

10 CSR 10-6.110

SUBMISSION OF EMISSION DATA, EMISSION FEES AND PROCESS INFORMATION

AND

RECOMMENDATION FOR ADOPTION

On July 20, 2006, the Missouri Air Conservation Commission held a public hearing concerning the proposed amendment to 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information. The following is a summary of comments received and the Missouri Department of Natural Resources' Air Pollution Control Program corresponding responses. Any changes to the proposed amendment are identified in the responses to the comments.

The Missouri Department of Natural Resources' Air Pollution Control Program recommends the commission adopt the rule action as proposed.

NOTE 1 - Legend for rule actions to be voted on is as follows:

- * Shaded Text Rule sections or subsections unchanged from Public Hearing. This text is only for reference.
- * Unshaded Text Rule sections or subsections that are changed from the proposed text presented at the Public Hearing, as a result of comments received during the public comment period.

NOTE 2 - All unshaded text below this line will be printed in the Missouri Register.

Title 10 - DEPARTMENT OF NATURAL RESOURCES

Division 10 - Air Conservation Commission

Chapter 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information **is** amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2006 (31 MoReg 911-918). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received comments on the proposed rule amendment from four (4) sources: Boeing Company, Regulatory Environmental Group for Missouri (REGFORM), Kansas City Health Department, and St. Louis County Health Department.

COMMENT: The Boeing Company and REGFORM testified in support of the proposed rule amendment to maintain the present \$34.50 emissions fee per ton of regulated air pollutant and to change the April 1 due dates for emissions fees and emission inventory questionnaires to June 1 so all classifications will have the June 1 due date.

RESPONSE: The Missouri Department of Natural Resources' Air Pollution Control Program is appreciative of industry's support of the proposed rule amendment. No wording changes have been made to the proposed rulemaking as a result of these comments.

COMMENT: REGFORM requested a commitment from the department's Air Pollution Control Program that the Emission Inventory Questionnaire Packets be sent out in a timely manner in January so that REGFORM members and others will have sufficient time to prepare the Ouestionnaires.

RESPONSE: As a result of REGFORM's comment, the department's Air Pollution Control Program will continue sending out the Emission Inventory Questionnaire Packets in a timely manner in January each year. No wording changes have been made to the proposed rulemaking as a result of this comment.

Due to the similarity of the following two (2) comments, one (1) response that addresses these comments can be found at the end of these two (2) comments.

COMMENT: The Kansas City Health Department is supportive of and encourages the Commission to reconsider an increase in the emissions fee. The current emissions fee of \$34.50 per ton of regulated air pollutant is used by the Missouri Department of Natural Resources to fund the department's Air Pollution Control Program and, in turn, fund the Kansas City, St. Louis City, Springfield-Greene County, and St. Louis County air pollution control programs. Kansas City receives \$333,052 from the State Air Program to support Kansas City' Air Quality Control Program providing approximately 49% of the total overall cost of Kansas City's program. These funds are critical to the support the City's efforts to ensure the goal of achieving the highest quality of healthful air standards for the visitors and residents of the Kansas City metropolitan area. While the proposal to maintain the current emissions fee may seem reasonable, it does not provide for any increase to offset the effects of inflation and is detrimental to the City's ability to maintain and conduct program operations at a level required to assure

program effectiveness. Also, the Kansas City metropolitan area faces a potential ozone non-attainment issue in 2007 that would impact program efforts.

COMMENT: The St. Louis County Health Department is supportive of the proposed \$34.50 emissions fee. A large part of the success of the Health Department in providing the County's citizens with air pollution control is directly related to the Agency receiving adequate funding for staff and operating expenses from the state. These funds provide the foundation for a number of air related activities, including interaction with our regulated community, assisting industry with permit applications, helping troubleshoot equipment and manufacturing processes, and streamlining the Environmental Inventory Questionnaire while providing cost effective and efficient service to the community and maintaining an air monitoring network used for determining attainment status in St. Louis County. Without adequate funding, supported in part by emissions fees, the St. Louis County Health Department would be challenged to provide the present level of service to the County's citizens. Given the stagnant level of State funding provided to the County over the past several years, the County is finding it very difficult to carry out its contracted scope. In essence, a continued stagnant level of funding will impact the level of service provided.

RESPONSE: The emissions fee is set annually by Statute and the emissions fee level is reviewed annually in cooperation with the regulated community to establish an annual fee amount to support the financial integrity of the Program. The Air Program recognizes the two local agency's support of the proposed emissions fee of \$34.50 to maintain the financial integrity of the program to provide a viable program for the benefit of Missouri's citizens and their children and support a quality air pollution control program and assure federal obligations can be met. The Air Program understands that the level of State funding provided by the emissions fees collected is a significant and important funding source to the local air agencies that provide air quality protection and service. The Air Program recognizes and understands the two local agency's request for consideration of an emissions fee increase by the Commission to address the financial difficulties of increasing local program costs and the effects of economic inflation. No wording changes have been made to the proposed rulemaking as a result of these comments.

MISSOURI AIR CONSERVATION COMMISSION RULES IN PROGRESS SCHEDULE									
Rule Action	Draft Rule Out for Other Dept Review	Public Notice (Accepting Comments on Draft Rule)	File with Secretary of State*	Published in Missouri Register	Public Hearing	Public Comment Period Closes	Commission Vote on Rule Action	Last Day** to File with Secretary of State*	Rule Effective
Rule Amendment 10 CSR 10-6.065 Operating Permits (Implements governor's operating permit streamlining recommendations; addresses regulated community concerns and helps streamline Basic and Intermediate operating permits programs)	03-16-04	09-12-04	12-14-04	01-18-05	03-31-05	04-07-05	04-28-05	06-23-05	09-30-05
Rule Amendment 10 CSR 10-6.070 New Source Performance Regulations (Annual updates)	10-22-04	11-07-04	02-17-05	04-01-05	05-26-05	06-02-05	06-30-05	08-31-05	11-30-05
Rule Amendment 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations (Annual updates)	10-22-04	11-07-04	02-17-05	04-01-05	05-26-05	06-02-05	06-30-05	08-31-05	11-30-05
Rule Amendment 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants (Annual updates)	10-22-04	11-07-04	02-17-05	04-01-05	05-26-05	06-02-05	06-30-05	08-31-05	11-30-05
New Rule 10 CSR 10-6.360 Control of NOx Emissions From Electric Generating and Non-Electric Generating Boilers (NOx SIP Call)	11-04-04	11-09-04	02-14-05	03-15-05	04-28-05	05-05-05	05-26-05	08-01-05	10-30-05
New Rule 10 CSR 10-6.380 Control of NOx Emissions From Portland Cement Kilns (NOx SIP Call)	11-04-04	11-09-04	02-14-05	03-15-05	04-28-05	05-05-05	05-26-05	08-01-05	10-30-05
New Rule 10 CSR 10-6.390 Control of NOx Emissions From Large Stationary Internal Combustion Engines (NOx SIP Call)	11-04-04	11-09-04	02-14-05	03-15-05	04-28-05	05-05-05	05-26-05	08-01-05	10-30-05
Rule Amendment 10 CSR 10-2.390 Kansas City Area Transportation Conformity Requirements (Federal updates)	12-17-04	01-10-05	04-01-05	05-02-05	06-30-05	07-07-05	07-21-05	10-03-05	12-30-05
Rule Amendment 10 CSR 10-5.480 St. Louis Area Transportation Conformity Requirements (Federal updates)	12-17-04	01-10-05	04-01-05	05-02-05	06-30-05	07-07-05	07-21-05	10-03-05	12-30-05
Rule Amendment 10 CSR 10-1.030 Air Conservation Commission Appeals and Requests for Hearings (Contains procedural regulations for contested cases heard by commission or assigned to hearing officer by commission)	01-27-05	02-06-05	05-12-05	06-15-05	07-21-05	07-28-05	08-25-05	10-26-05	01-30-06
Rule Amendment 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information (Sets emission fee required annually by statute and adjusts deadline for fee payment)	03-09-05	N/A	05-16-05	06-15-05	07-21-05	07-28-05	08-25-05	10-03-05	12-30-05
Rule Amendment 10 CSR 10-6.010 Ambient Air Quality Standards (Updates NAAQS table with new and revised 8-hour Ozone and PM2.5 standards)	03-02-05	N/A	07-06-05	08-15-05	09-29-05	10-06-05	10-27-05	12-14-05	02-28-06
Rule Amendment 10 CSR 10-6.020 Definitions and Common Reference Tables (Updates definitions for the new PM2.5 NAAQS mandated under CAA of 1997)	03-02-05	N/A	07-06-05	08-15-05	09-29-05	10-06-05	10-27-05	12-14-05	02-28-06
Rule Amendment 10 CSR 10-6.030 Sampling Methods for Air Pollution Sources (Updates federal reference methods for new PM2.5 NAAQS mandated under CAA of 1997)	03-02-05	N/A	07-06-05	08-15-05	09-29-05	10-06-05	10-27-05	12-14-05	02-28-06

Shaded blocks indicate actual completion dates.

^{*} Copy provided to Joint Committee on Administrative Rules

^{**} Last day to meet rule effective date shown.

MISSOURI AIR CONSERVATION COMMISSION RULES IN PROGRESS SCHEDULE										
Rule Action	Draft Rule Out for Other Dept Review	Public Notice (Accepting Comments on Draft Rule)	File with Secretary of State*	Published in Missouri Register	Public Hearing	Public Comment Period Closes	Commission Vote on Rule Action	Last Day** to File with Secretary of State*	Rule Effective	
Rule Amendment 10 CSR 10-6.040 Reference Methods (Updates federal reference methods for new PM2.5 NAAQS mandated under CAA of 1997)	03-02-05	N/A	07-06-05	08-15-05	09-29-05	10-06-05	10-27-05	12-14-05	02-28-06	
Rule Amendment 10 CSR 10-5.510 Control of Emissions of Nitrogen Oxides (Adds another test method to determine NOx emission rates)	05-12-05	05-19-05	08-26-05	10-03-05	12-08-05	12-15-05	02-02-06	03-15-06	05-30-06	
Rule Amendment 10 CSR 10-6.061 Construction Permits Exemptions (Relocates recordkeeping section and clarifies specific facilities exemptions)	08-17-05	N/A	12-01-05	01-03-06	02-02-06	02-09-06	03-30-06	05-09-06	07-30-06	
Rule Amendment 10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning (Addresses industry concerns about provisions related to enforcement and compliance)	10-27-05	11-09-05	04-03-06	05-01-06	06-29-06	07-06-06	07-20-06	08-28-06	11-30-06	
Rule Amendment 10 CSR 10-6.070 New Source Performance Regulations (Annual updates)	10-27-05	11-09-05	05-02-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06	
Rule Amendment 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations (Annual updates)	10-27-05	11-09-05	05-02-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06	
Rule Amendment 10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants (Annual updates)	10-27-05	11-09-05	05-02-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06	
New Rule 10 CSR 10-6.345 Control of NOx Emissions From Upwind Sources (Addresses large sources of nitrogen oxides upwind and outside St. Louis 8-hr ozone nonattainment area expected to have potential to affect air quality)	11-10-05	11-23-05	05-04-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06	
Rule Amendment 10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information (Sets emission fee required annually by statute and adjusts deadline for fee payment)	03-16-06	N/A	05-11-06	06-15-06	07-20-06	07-27-06	08-31-06	10-02-06	12-30-06	
New Rule 10 CSR 10-6.362 Clean Air Interstate Rule, Annual NOx Trading Program (Establishes NOx emissions cap)	06-09-06	06-28-06			Anti	cipate Filing 10/0	2/06			
New Rule 10 CSR 10-6.364 Clean Air Interstate Rule, Seasonal NOx Trading Program (Establishes ozone seasonal NOx emission cap)	06-09-06	06-28-06			Anti	cipate Filing 10/0	2/06			
New Rule 10 CSR 10-6.366 Clean Air Interstate Rule, SO ₂ Trading Program (Establishes annual SO ₂ emission cap)	06-09-06	06-28-06			Anti	cipate Filing 10/0	2/06			
Rule Amendment 10 CSR 10-6.350 Emission Limitations and Emissions Trading of Oxides of Nitrogen (Voids this rule when NOx seasonal trading rule is implemented)	06-09-06	06-28-06			Anti	cipate Filing 10/0	2/06			

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Rule Action	Draft Rule Out for Other Dept Review	Public Notice (Accepting Comments on Draft Rule)	File with Secretary of State*	Published in Missouri Register	Public Hearing	Public Comment Period Closes	Commission Vote on Rule Action	Last Day** to File with Secretary of State*	Rule Effective
Rule Amendment 10 CSR 10-6.360 Control of NOx Emissions from Electric Generating Units and Non-Electric Generating Boilers (Voids this rule when NOx seasonal trading rule is implemented)	06-09-06	06-28-06			Anti	cipate Filing 10/0	2/06		
New Rule 10 CSR 10-6.368 Control of Mercury from Electric Generating Units (Establishes Mercury emission cap for coal fired electric generating units)	06-09-06	06-28-06			Anti	cipate Filing 10/0	2/06		
Rule Amendment 10 CSR 10-6.100 Alternate Emission Limits (Updates reference for federal New Source Review program for nonattainment areas)	06-02-05	N/A			Anti	l cipate Filing 12/0 	1/06		
Rule Amendment 10 CSR 10-6.060 Construction Permits Required (Adopts federal New Source Review program for nonattainment areas)	06-22-06	08-08-06			Anti	cipate Filing 12/0	1/06		
Rule Amendment 10 CSR 10-2.070 Restriction of Emission of Odors (Amends the restrictions on odor measurement methods and replaces the current dilution ratio)	06-26-06	08-08-06			Anti	cipate Filing 12/0	1/06		
Rule Amendment 10 CSR 10-3.090 Restriction of Emission of Odors (Amends the restrictions on odor measurement methods and replaces the current dilution ratio)	06-26-06	08-08-06			Anti	l cipate Filing 12/0	1/06		
Rule Amendment 10 CSR 10-4.070 Restriction of Emission of Odors (Amends the restrictions on odor measurement methods and replaces the current dilution ratio)	06-26-06	08-08-06			Anti	cipate Filing 12/0	1/06		
Rule Amendment 10 CSR 10-5.160 Control of Odors in the Ambient Air (Amends the restrictions on odor measurement methods and replaces the current dilution ratio)	06-26-06	08-08-06			Anti	cipate Filing 12/0	1/06		
Rule Amendment 10 CSR 10-2.390 Kansas City Area Transportation Conformity Requirements (Amends the state Kansas City transportation conformity rule to utilize the shortened rule format)	07-18-06	N/A			Anti	cipate Filing 10/0	2/06		
Rule Amendment 10 CSR 10-5.480 St. Louis Area Transportation Conformity Requirements (Amends the state St. Louis transportation conformity rule to utilize the shortened rule format)	07-18-06	N/A			Anti	cipate Filing 10/0	2/06		
Rule Amendment 10 CSR 10-6.062 Construction Permits by Rule (Addresses matters about the rule pre-construction period)	07-18-06	N/A			Anti	cipate Filing 10/0	2/06		

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State Air Quality Plans Status Report August 9, 2006

							Sano	tions		
	Plan	EPA's Plan	EPA's Plan	Sand	ction	EPA Im		EPA W	thholds	
	Submitted	Completion	Approval	Clock	Date		Offset Ratio		y Funds	
	to EPA	Finding	Finding	*	*	(18 mos afte	er clock start)		r clock start)	
Plan Commitment	*	*	*	Start	Stop	Start	Stop	Start	Stop	Comments
Missouri SIP				1/15/93	6/17/94					
(Emission Statement Plan)	1/4/94	Complete 6/17/94	Approved 2/29/96							
Missouri SIP (St. Louis CO Maintenance Plan)	6/13/97	Complete 7/9/97	1/26/99 - EPA granted direct final approval - effective 3/29/99	No sanction	clock application	able to noncla	ssifiable nona	ttainment area	as.	
Missouri SIP				1/14/94	7/13/95					
(St. Louis 1-Hour Ozone 15% Rate of Progress (RoP) Plan	1/13/95 7/11/95		3/18/96 - EPA proposed partial approval of all plan elements except	Sanction clock will start if EPA						
	7/11/95	7/13/95 - All three submittals found	I/M program. EPA proposed partial disapproval due to	publishes limited disapproval						
		complete.	failure to implement enhanced I/M program.	of 15% plan.						
	5/1/97	N/A (This action only addresses approvability)								Plan revised to clarify Reid vapor pressure (RVP) waiver demonstration.
	11/12/99	Complete 12/22/99	Approved 5/18/00							Plan revised to include Inspection/Maintenance (I/M) and reformulated gasoline (RFG) provisions.
Missouri SIP (St. Louis 1-Hour Ozone Contingency Plan)	10/6/97	Complete 10/8/97	4/19/01 - EPA proposed approval	4/11/96	10/8/97					Public hearing 7/24/97. MACC adopted Plan 8/28/97. MACC adopted Solvent Metal Cleaning rule 2/3/98.
			Approved 6/26/01							On 5/18/00, EPA approved Solvent Metal Cleaning rule as part of 15% ROP plan (includes Tier II and low sulfur gasoline).
Missouri SIP				6/22/95	4/22/96					
(St. Louis 1-Hour Ozone Attainment Demonstration Plan)	10/25/95	Complete 4/22/96	4/17/00 - EPA proposed approval 8/3/00 - EPA reopened public comment period							Plan revised to comply w/ new Ozone National Ambient Air Standards (NAAQS) and transport SIP call. MACC adopted Plan 11/8/99. On 1/19/00, DNR submitted supplemental model report. Additional modeling submitted 6/29/00.
	11/2/00		until 8/14/00.							Supplemental model report presented at 8/31/00 MACC public hearing. MACC adopted Plan 9/21/00.
	2/28/01		4/3/01 - EPA proposed approval							On 6/26/01, EPA withdrew 3/19/01 attainment determination and approved attainment date extension to 11/15/04 and mobile source emissions budgets.
			Approved 6/26/01 (Court vacated)							On 11/25/02, US 7 th Circuit Court of Appeals ruled against EPA as follows: 1) EPA has no authority to grant attainment date extension; 2) 6/26/01 rule extending St. Louis attainment date vacated; 3) directed EPA to promulgate final rule classifying St. Louis as serious Ozone nonattainment area.
	12/13/02		1/30/03 - EPA proposed to approve revised mobile budgets Approved 5/12/03							MOBILE6 model released 1/29/02. Revised mobile budgets based on Mobile 6 model presented to MACC at public hearings 10/23/02 (St. Louis) and 10/24/02 (Kirksville). MACC adopted Plan 12/5/02.
Missouri SIP (Redesignation Demonstration and Maintenance Plan for Missouri Portion of St. Louis 1-Hour Ozone Nonattainment Area)	12/5/02	12/19/02	1/30/03 - EPA proposed approval of redesignation demonstration and maintenance plan. Approved 5/12/03							Plan and redesignation request presented to MACC at public hearing 10/23/02 (St. Louis) and 10/24/02 (Kirksville). MACC adopted Plan 12/5/02.
Missouri SIP (New Source Review Plan)	4/6/94	Complete 6/17/94	Approved 2/29/96	1/15/93	6/17/94					
(140W Source Review Flatt)	4/0/34	Complete 0/17/94	Approved 2/29/90							

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State Air Quality Plans Status Report August 9, 2006

		-					Sand	ctions		
	Plan Submitted	EPA's Plan Completion	EPA's Plan Approval	Sand Clock		EPA Impose 2:1 EPA Withholds Emissions Offset Ratio Highway Funds (18 mos after clock start) (24 mos after clock start)		y Funds		
Plan Commitment	to EPA	Finding *	Finding *	Start	Stop	(18 mos afte Start	Stop	Start	er clock start) Stop	Comments
Missouri SIP (St. Louis 8-Hour Ozone/PM2.5 Plan)										In 2000, DNR submitted recommendation on 8-hr nonattainment boundaries. On 6/2/03, EPA published proposed 8-hr Ozone NAAQS rule. On 4/30/04, EPA designated St Louis as Moderate for 8-hr Ozone NAAQS. On 9/23/04, DNR and Illinois EPA hosted joint meeting to initiate St. Louis 8-hr Ozone/PM2.5 SIP development stakeholder groups. On 1/5/05, EPA published area designations/classifications for Fine Particle NAAQS (St. Louis as Unclassifiable/Attainment). In Mar-05, contract awarded to Environ and Alpine Geophysics (EnvironAG) to assist w/ emissions and photochemical modeling. Contract effective date 4/1/05. On 9/8/05, EPA proposed PM2.5 implementation rule. Proposal describes implementation framework and SIP requirements to attain NAAQS. SIP submittal deadline set for April 2008 and attainment deadline set for 2010. Since EPA proposed several alternative approaches, program will comment to make State's preferences known. On 11/29/05, EPA finalized phase II of 8-hr ozone implementation rule. Public hearing for inventory element 4/27/06, adopted 05/25/06. Final attainment demonstration modeling runs completed as of Aug' 06. Ozone SIP submittal deadline 6/15/07. PM2.5 SIP submittal deadline 4/28/08.
	1/3/05		1/26/05 - EPA approved revised mobile budgets							Plan revised to establish 2007 motor vehicle emissions budgets. Public hearing on proposed budgets 10/28/04. MACC adopted Plan 12/9/04.
Missouri SIP (St. Joseph Light & Power SO ₂ Attainment Plan)	7/13/01	Complete 8/15/01	11/15/01 - EPA granted direct final approval - effective 1/14/02							As of 5/25/01, consent agreement between St. Joseph Light & Power and State of Missouri to avoid SO ₂ nonattainment designation signed by all parties. Public hearing for consent agreement 2/6/01. MACC adopted 3/29/01.
Missouri SIP (Springfield City Utilities SO ₂ Consent Agreement)	1/2/02	Complete 2/1/02	3/25/02 - EPA granted direct final approval - effective 5/24/02							Added consent agreement to incorporate Springfield City Utilities SO2 control strategy. MACC adopted 12/6/01.
Missouri SIP (St. Louis Transportation Conformity Plan and Rule)	2/14/95	Complete 5/16/95	Approved 2/29/96							Original Plan Program working on rule amendment to incorporate fifth (5) set of federal transportation conformity rule amendments. Public hearing for rule amendment 6/30/05. MACC adopted rule amendment 7/21/05.
Missouri SIP (Kansas City Transportation Conformity Plan and Rule)	2/14/95	Complete 5/16/95	Approved 2/29/96							Original Plan Program working on rule amendment to incorporate fifth (5) set of federal transportation conformity rule amendments. Public hearing for rule amendment 6/30/05. MACC adopted rule amendment 7/21/05.
Missouri SIP (General Conformity Plan and Rule)	2/14/95 11/20/96	Complete 5/16/95 Complete 2/24/97	3/11/96 - Conditional approval w/ 6.300 revisions. Approved 7/14/97							Rule effective date 9/30/96.

							Sand	ctions		
	Plan	EPA's Plan	EPA's Plan	Sand			pose 2:1		ithholds	
	Submitted	Completion	Approval	Clock	Date		Offset Ratio		y Funds	
D . O	to EPA	Finding	Finding	*	*		er clock start)		r clock start)	
Plan Commitment	*	*	*	Start	Stop	Start	Stop	Start	Stop	Comments
Missouri SIP				1/15/93	9/1/94					
(Inspection/Maintenance	9/1/94	Complete 9/1/94	3/18/96 - EPA proposed							Contract awarded 2/24/99 and testing begins 4/5/00.
`(I/M) Plan)	(Temporary rule)	Contingent on Plan	disapproval of I/M Plan							Over 5,066,432 vehicles tested since I/M program start.
		revision submittal	(lack of adequate							In 2003, General Assembly did not renew appropriations for additional
	7/11/95	of permanent rule	resources to implement)	Sanction clo	ck starts if E	PA publishes	final disappro	val		I/M station in South County.
	(Permanent rule)		Approved 5/18/00							
	12/9/02	12/30/02	5/12/03 - EPA approved							MACC adopted proposal implementing on-board diagnostics (OBD)
			I/M rule revisions -							testing 4/25/02 (advisory-only).
	10/2/03	12/1/03	effective 5/12/03	-						MACC adopted rule implementing OBD testing 8/29/02. MACC adopted revised Plan to incorporate rule and legislative
	10/2/03	12/1/03								changes 8/23/03.
										Plan being revised to incorporate HB 697 legislative changes.
										On 6/6/05, pass/fail OBD tests (<1996 vehicles) started.
										On 7/22/05, 8/5/05, 8/19/05 and 9/1/05, DNR/EPA hosted St. Louis
										meetings (I/M Summit) to consider new I/M program designs beyond 2007 to meet 8-hr Ozone SIP obligation (presented current Ozone
										air quality data and federal requirements). DNR released white
										paper documenting discussed concepts and preferences.
										On 9/15/05, I/M workgroup met w/ Rep. St. Onge (Missouri House
										Transportation Chair) to discuss 2006 legislative session and make
										plans to establish workgroup to identify each agency's needs for
										statewide vehicle safety, St. Louis Ozone nonattainment area vehicle
										emission testing program and statewide vehicle registration program.
										From I/M Summit feedback, workgroup will develop legislative
										proposal that could be passed during 2006 General Assembly and
										implemented by 9/1/07 (end of contract w/ Environmental Systems
										Products Holdings Inc. (ESP) Missouri.
										Late October 2005, started rulemaking development. On 10/11/05, I/M workgroup met w/ Rep. St. Onge and Rep. Lembke
										to discuss 2006 legislative session.
										I/M technology open house/trade show held 12/3/05 to provide
										legislators and decision makers with the various types of
										technology available for vehicle inspections.
Missouri SIP				7/6/94	7/3/96	1/6/96	7/3/96			
(NOx RACT Plan)	11/30/95			.,,,,,,	1,0,00	,,,,,,,	1,0,00			Submitted waiver application for Clean Air Act (CAA) amendments
	(Waiver)									Section 182(f) 11/30/95.
										EPA issues transport SIP call 10/10/97.
	4/26/96									NOx RACT Plan identifying NOx RACT as the NOx limitations required
	(Draft Plan) 7/1/96									for utility boilers under Title IV acid rain program being submitted. Public hearing for proposed Plan 5/30/96.
	(Final Plan)	Complete 7/3/96								MACC adopted proposed Plan 6/27/96.
	11/12/99	Complete 12/22/99	Approved 5/18/00							Incorporates new NOx RACT rule.
Missouri SIP	8/1/05	12/2/05	6/5/06 - EPA proposed							On 3/3/00, court ruled on NOx SIP call petitions and removed Missouri
(NOx Transport Plan)	5,1,05	12,2,00	approval of NOx							from NOx SIP call.
(Transport Plan							EPA approved statewide NOx rule 12/28/00.
										Proposed NOx SIP call for Missouri released 2/23/02.
										On 4/21/04, EPA finalized Phase II NOx SIP call. Missouri to submit
										SIP meeting full NOx SIP call by 5/1/05.
										Utility Workgroup meetings 10/19/04 (non-electricity generating units
										(non-EGUs) and 10/25/04 (EGUs).
										On 12/8/04, EGU workgroup reached agreement in concept on
										proposed EGUs and non-EGU boilers rules.
										On 1/31/05, met w/ cement kiln industry and reached consensus on
										draft cement kiln rule. Public hearing for 3 new NOx rules 4/28/05.
										MACC adopted rules 5/26/05.
										Public hearing for NOx SIP call Emissions Budget Demonstration for
										Missouri 5/26/05.
										MACC adopted Budget Demonstration 6/30/05.
L	<u> </u>	J	l	L				l .	l	in to a depice Dadget Demonstration 6,00,00.

	Sanctions									
	Plan Submitted to EPA	EPA's Plan Completion Finding	EPA's Plan Approval Finding	Sand Clock	Date *	Emissions (18 mos afte	pose 2:1 Offset Ratio er clock start)	Highwa (24 mos afte	ithholds y Funds er clock start)	
Plan Commitment	*	*	*	Start	Stop	Start	Stop	Start	Stop	Comments
Missouri SIP (Kansas City 8-Hour Ozone Plan)										On 8/1/03, DNR submitted MACC adopted boundary recommendation to EPA. On 4/30/04, EPA designated Kansas City as Unclassifiable/ Attainment for 8-hr Ozone NAAQS. Action effective 6/15/04. On 9/10/04, Mid-America Regional Council (MARC) hosted community workshop to discuss alternative strategies to achieve compliance w/ new 8-hr Ozone NAAQS and long-term clean air. On 12/21/04, DNR submitted letter to EPA to certify monitoring data and to recommend Kansas City be redesignated as Attainment for 8-hr Ozone NAAQS. On 3/29/05, MARC approved Clean Air Action Plan (CAAP). On 5/3/05, EPA redesignated Kansas City as Attainment for 8-hr Ozone NAAQS. Final rule effective 6/2/05. On 7/12/05, MARC hosted meeting w/ EPA, Kansas Dept of Health and the Environment (KDHE) and DNR to initiate discussions on SIP tasks. On 1/10/06, Contingency Measures workgroup met to narrow down the list of contingency measures to pursue for implementation. On 5/31/06 Contingency Measures workgroup held a conference call to discuss the contingency control measures still being evaluated. Draft contingency control measures were presented to the MARC Air Quality Forum on 6/13/06. Forum members were given the opportunity to ask questions and make comments on the proposed control measures. Emissions inventories are being developed for the maintenance area. A meeting for stakeholders possibly affected by potential contingency control measures is scheduled for 9/9/06 in Kansas City. SIP submittal deadline 6/15/07.
Missouri SIP (Kansas City Maintenance Plan)	3/16/98 12/12/02 9/6/05	Complete 3/22/06	1/26/99 - EPA granted approval (RFG incorporated by 2000) Approved 4/24/02 9/16/03 - EPA proposed approval Approved 1/13/04 6/26/06 - EPA granted direct final approval effective 8/25/06							On 2/5/96, rec'd EPA formal notice of Ozone violation (based on EPA quality assured data) in Kansas City metro area which requires contingency measures. Contingency measures recommendations presented at 8/29/96 MACC meeting. MACC adopted revised Plan 2/3/98. US Court of Appeals struck down EPA's rule for use of RFG in former nonattainment areas. On 8/22/00, Missouri governor committed to implement 7.0 RVP gasoline, a cold cleaning solvent regulation and a pressure vacuum relief valve requirement for gasoline dispensing. RVP rule and fuel waiver submitted to EPA on 5/21/01. MOBILE6 model released 1/29/02. MACC adopted subsequent 10-yr plan 7/25/02. MACC adopted revised mobile budgets 12/5/02. On 6/5/03, EPA informed public that revised motor vehicle emission budgets are adequate for conformity purposes. Plan revision required when 1-hr Ozone NAAQS revoked 6/15/05. On 5/3/05, conference call w/ KDHE and MARC to discuss options for addressing 1-hr Ozone Maintenance Plan revocation. 2002 Maintenance Plan revised to include 8-hr Ozone NAAQS and 8-hr Ozone NAAQS contingency measure triggers. Public hearing for 2005 revised Plan 6/30/05. MACC adopted 2005 revised Plan 7/21/05.

							Sand	ctions		
	Plan	EPA's Plan	EPA's Plan	Sand			pose 2:1		/ithholds	
	Submitted to EPA	Completion	Approval	Clock	Date		Offset Ratio er clock start)		y Funds er clock start)	
Plan Commitment	IO EFA	Finding *	Finding *	Start	Stop	Start	Stop	Start	Stop	Comments
Title V On exeting Demoit										
Title V Operating Permit Plan	1/13/95	Complete 3/2/95	4/11/96 - EPA granted	11/15/93	3/2/95					Operating Permit Program effective date 5/13/96.
(Although not a SIP, plan	1/10/00	Complete 3/2/33	interim approval of							Full approval effective 6/13/97.
has similar requirements			operating permit program							
and impacts)			Approved 5/14/97							
	5/6/03	Complete 5/22/03	9/17/03 - EPA granted							On 3/25/02, EPA issued Notice of Deficiency for the Operating
			direct final approval - effective 11/17/03							Permit Program because some State requirements do not comply w/ CAA and 40 CFR 70 requirements.
			011001110 11/11/00							MACC adopted Plan revision and rule change 12/5/02.
	1/3/06	Complete 4/12/06	8/10/06 - EPA proposed							Program working on Plan revision to streamline Basic and Intermediate
			approval of							Operating Permits to minimize workload for both industry and
			Implementation Plans and Operating Permits							program staff while maintaining NAAQS. As result of stakeholder review, MACC approved rule variance while
			Program							amended rule is being developed.
										Public hearing for rule amendment 3/31/05.
										MACC adopted rule amendment 4/28/05.
Missouri SIP	3/12/97	Complete 4/24/97	4/22/98 - EPA granted	Sanction clos	ck not applic	able.				Required to comply w/ Title V Program.
(Update outdated local			direct final approval -							
codes/ordinances)	12/22/98	Complete 4/14/99	effective 6/22/98 12/22/99 - EPA granted							Updated Kansas City local incinerator codes.
	12/22/90	Complete 4/14/99	direct final approval -							opuated Kansas City local incinerator codes.
			effective 2/22/00							
	5/22/00	Complete 6/15/00	10/26/00 - EPA granted							Revised to reflect new St. Louis City ordinance 64749.
			direct final approval - effective 12/26/00							
	10/15/03	11/6/03	12/9/03 - EPA granted							Plan revised to reflect new St. Louis City ordinance 65645.
			direct final approval -							Public hearing for Plan revision 7/24/03.
			effective 2/9/04							MACC adopted Plan 8/28/03.
Missouri SIP	8/13/96	Complete 9/18/96	Approved 5/5/97	8/2/93	9/18/96	2/2/95	9/18/96	8/2/95	9/18/96	Air quality monitoring data continues to show Lead NAAQS attainment
(Glover Lead Plan -										after controls installed.
Doe Run/formerly ASARCO)	7/31/00	Complete 9/5/00	12/5/01 - EPA proposed							Amended consent decree filed Sept-99. Plan revised to change ownership via new consent decree.
ASARCO)	7/31/00	Complete 9/5/00	approval - Approved 4/16/02							MACC adopted Plan revision 5/25/00.
	1/26/04		6/30/04 - EPA proposed							On 12/1/03, Glover smelter ceased operations w/ plans to reopen in
			approval effective							future. DNR advised Doe Run that certain emission compliance and
			8/30/04 unless adverse comments received by							maintenance plan reporting requirements could be discontinued until plant restart. DNR discontinued monitoring June 2004. DNR retains
			7/30/2004							ability to restart monitoring w/ sufficient lead time should plant begin
			Direct final rule							smelting.
			withdrawn 8/24/04 due							On 10/29/04, EPA published final rule addressing adverse comment,
			to adverse comment							redesignated area to attainment for Lead and approved Maintenance Plan.
			10/29/04 - EPA							Doe Run utilizing unloading building to store and transport concentrate
			granted final approval -							ores.
			effective 11/29/04							
Missouri SIP				1/4/94	12/15/94					
(Doe Run Resource	7/2/93 6/30/94	12/15/94 - All three	8/4/95 - EPA approved all three submittals							8 continuous quarters of Lead NAAQS attainment.
Recycling Division Lead Plan)	11/23/94	submittals together found complete	together							
,	5/12/00	Complete 8/2/00	10/18/00 - EPA granted							Facility now referred to as Doe Run Resource Recycling Division
			direct final approval -							located near Bixby, MO.
	4/29/03	Complete 8/13/03	effective 12/18/00 8/24/04 - EPA granted			-				Plan revised updating emission limits to reflect current operations.
	7/23/03	Joinpicte 0/10/03	direct final approval -							Public hearing for Plan revision and rule change 10/24/02.
			effective 10/25/04							MACC adopted Plan 12/5/02.
										Plan to be revised to reflect new prevention of significant deterioration
										(PSD) permit production conditions. Rec'd Doe Run mining emissions characterization analysis to confirm
										NAAQS compliance. Awaiting review by Permits Section and Air
										Quality Analysis Section prior to proceeding w/ Plan revision.
										Visited site 6/13/05.

							Sand	ctions			
Plan Commitment	Plan Submitted to EPA	EPA's Plan Completion Finding	EPA's Plan Approval Finding *		ction Date *	Emissions	pose 2:1 Offset Ratio er clock start) I Stop	EPA W Highwa	ithholds y Funds er clock start) Stop	Comments	
					'	Otart	Otop	Otari	Ciop	- Commonie	
Missouri SIP (Herculaneum Lead Plan - Doe Run)	6/3/91 7/2/93 6/30/94 11/23/94	Complete 7/9/91 Complete 9/30/93 Complete 2/23/94 Complete 12/15/94	Limited approval rec'd 3/6/1992 Full approval on all 4 submittals together on 5/5/95	1/4/94	12/15/94					Area failed to attain Lead NAAQS for 3 rd quarter of 1995. All contingency measures implemented and area still failed to attain Lead NAAQS.	
	2/6/06	Complete 1/18/01	12/5/01 - EPA proposed approval Approved 4/16/02	7/28/99	1/18/01					On 12/7/00, MACC adopted Plan revision and Lead rule. Court signed Consent Judgement 1/5/01. DNR/EPA met w/ Doe Run to discuss NOV settlement proposal for Doe Run to install an additional set of permanent and enforceable Lead emission controls to avoid future violations and reduce air impacts. Doe Run-Herc has implemented 2 of the 6 proposed additional emission control projects. The DNR Broad Street monitor has recorded several recent violations (1Q 2005 - 1.88 ug/m3, 2Q 2005 - 1.46um/m3, 3Q 2005 - 1.60 ug/m3, 1Q 2006 - 1.67 ug/m3). Doe Run has been issued notices of violation for each of these quarters - NOV issued on 9/8/05 triggered the production cap contingency measure. Doe Run requested to amend SIP to allow facility to change baghouse bag vendors to increase bag life, and to reduce maintenance and energy costs. Public hearing on Consent Judgement modification 6/30/05. MACC adopted Consent Judgement modification 7/21/05. On 12/19/05, EPA issued a proposed SIP call for Doe Run-Herculaneum nonattainment area. On 1/12/06, DNR provided comments supporting EPA's proposed implementation plan deadline. On 4/14/06, EPA published final SIP call which established new SIP submittal deadline of 4/14/07. On 6/22/06 DNR hosted a public meeting to show SIP development	
111(d) Plan-Municipal Solid Waste Landfills	1/26/98	Camplete 0/04/00	4/24/98 - EPA granted direct final approval - effective 6/23/98 11/15/00 - EPA granted							plans and to receive public input. Original Plan	
	0/31/00	Complete 9/21/00	direct final approval - effective 1/16/01							Plan revised to reflect recent EPA Emission Guidelines revisions. Public hearing for Plan revision 6/29/00. MACC adopted Plan revision 7/27/00.	
111(d) Plan-Hospital, Medical/Infectious Waste Incinerators	6/15/99		8/19/99 - EPA granted direct final approval - effective 10/19/99							Original Plan	
	7/13/01		10/21/01 - EPA granted direct final approval - effective 12/11/01							Plan revised to assure consistency with federal definitions. Public hearing for Plan revision 2/6/01. MACC adopted Plan revision 3/29/01.	
Missouri SIP (Small Business Stationary Source Technical and Environmental Compliance Assistance Program)	3/10/93	Complete 5/11/93	Approved 3/10/93							This program being implemented and operated by the environmental assistance office. Awaiting new administration appointments.	

							Sano	tions		
	Plan Submitted	EPA's Plan Completion	EPA's Plan Approval	Sand Clock		Emissions	pose 2:1 Offset Ratio	Highwa	ithholds y Funds	
Plan Commitment	to EPA	Finding *	Finding *	Start	Stop	Start	er clock start) Stop	Start	er clock start) Stop	Comments
Missouri SIP (Regional Haze Plan)										Final federal regional haze rule published 7/1/99. Final rule SIP submittal deadline May 2008. Tasks complete: previous yrs grant applications (EPA approved), RPB structure/budget, by-laws, articles of incorporation, individual workgroup plans, and workgroup chairs guidelines. Jim Kavanaugh representing DNR on Policy Oversight Group. On 11/15/04, Best Available Retrofit Technology (BART) survey sent to industries to determine affected BART sources. 20 sources identified as potential BART eligible (12 of the 20 are electric utilities exempt from BART under Clean Air Interstate Rule (CAIR). For individual workgroup progress, see Web site www.cenrap.org.
Missouri SIP (New Source Review (NSR) Reform)	2/25/05	Complete 8/30/05	On 4/14/06, EPA propposed approval of most revisions without taking action on some revisions due to court decision to remand portion of rules regarding exemption from recordkeeping back to EPA. Approved 6/27/06							On 12/31/02, EPA published final New Source Review (NSR) Reform rule. In 2003, New York and other states challenged rule objecting to actual-to-projected-actual emission test rather than potential-to-potential emissions test. On 6/24/05, US Appeals Court (DC Circuit) ruled to: (1) uphold past actual-to-projected future actual emissions use, a 10-yr lookback for selecting 2-yr baseline and plantwide applicability limits; (2) vacate Clean Unit applicability test and Pollution Control Project exemption; (3) remand recordkeeping provisions back to EPA for explanation or appropriate alternative. Draft rule 60-day public comment period ended 8/25/05. On 10/14/05, EPA published proposed rule to revise emissions test for existing electric generating units (EGUs) subject to regulations governing prevention of significant deterioration (PSD) and nonattainment major NSR.
Missouri SIP (Clean Air Interstate Rule (CAIR) and Clean Air Mercury Rule (CAMR))										On 3/15/05, EPA issued the Clean Air Interstate Rule (CAIR) to reduce air pollution that moves across state boundaries, and issued the Clean Air Mercury Rule (CAMR) to permanently cap and reduce mercury emissions from coal-fired power plants. On 06/27/05, EPA Region 5 & 7 states workgroup met to discuss rule implementation issues and model rule. On 8/17/05, workgroup mtg to discuss process of developing responses from Missouri. On 8/24/05, EPA proposed Federal Implementation Plan (FIP) to Reduce Interstate Transport of Fine Particulate Matter and Ozone, and a FIP for CAIR for May 2006 implementing a federal regional trading program identical to CAIR's SO2/NOx program allowing SIP development w/ FIP revocation or partial SIP implementation w/ the FIP remaining in place. On 10/21/05, EPA announced it will reconsider certain aspects of CAIR and CAMR regarding delisting and cap-and-trade. On 12/5-6-05, EPA Region 7 hosted workshop for entities to meet w/ EPA's Clean Air Markets Division. For workgroup progress, see Web site www.dnr.mo.gov/env/apcp/cair_camr/cair_camr.htm On 2/10/06, workgroup met and discussed draft rules. On 6/16/06, work group met and discussed draft rules. On 6/28/06, draft CAIR/CAMR rules were put on public notice for RIR comment period. Comments and responses are being posted on APCP website. CAIR SIP submittal deadline Sep' 06. CAMR SIP submittal deadline Nov' 06.

1					1				1
Plan Submitted	EPA's Plan Completion	EPA's Plan Approval			Emissions	pose 2:1 Offset Ratio	EPA W Highwa	y Funds	
to EPA	Finding *	Finding *	Start *	* I Ston					Comments
			Start	Зюр	Start	Оюр	Start	Оюр	Comments
									Ozone Continuing to monitor 8-hr Ozone NAAQS. On 6/2/03, EPA published proposed 8-hr Ozone NAAQS rule. On 4/30/04, EPA published area designations and classifications for 8-hr Ozone NAAQS (Kansas City as Unclassifiable/Attainment and St. Louis as Moderate). On 9/27/04, DNR submitted latest CAA Section 110 Plan commitment letter to EPA. On 12/21/04, DNR submitted letter to EPA to certify monitoring data and to recommend Kansas City redesignation as Attainment for 8-hr Ozone NAAQS. On 5/3/05, EPA redesignated Kansas City as Attainment for 8-hr Ozone NAAQS. Final rule effective 6/2/05. On 11/29/05, EPA issued final phase II 8-hour ozone rule. PM2.5 Continuing to monitor PM2.5. On 9/27/04, DNR submitted latest CAA Section 110 Plan commitment letter to EPA. On 1/5/05, EPA published area designations/classifications for Fine Particle NAAQS (St. Louis as Unclassifiable/Attainment). On 9/8/05, EPA proposed PM2.5 implementation rule. Proposal describes implementation framework and SIP requirements to attain NAAQS. SIP submittal deadline set for April 2008 and attainment deadline set for 2010. Since EPA proposed several alternative approaches, program will comment to make State's preferences known. On 11/1/05, EPA published proposed PM2.5 NAAQS rule. On 12/20/05, EPA proposed new particulate matter standards. PM10 Area designation recommendation letter due to EPA by 7/17/98. Area designation recommendations submitted 8/12/98. On 2/27/101, US Supreme Court upheld revised NAAQS. On 9/27/04, DNR submitted latest CAA Section 110 Plan commitment letter to EPA. On 12/20/05, EPA proposed new particulate matter standards.
		Submitted Completion	Submitted Completion Approval	Submitted Completion Approval Clock	Submitted Completion Approval Clock Date to EPA Finding Finding **	Submitted Completion Approval Clock Date Emissions to EPA Finding Finding ** (18 mos aftr	Plan EPA's Plan EPA's Plan Sanction EPA Impose 2:1 Submitted Completion Approval Clock Date Emissions Offset Ratio to EPA Finding Finding ** (18 mos after clock start)	Submitted Completion Approval Clock Date Emissions Offset Ratio Highwa to EPA Finding Finding ** (18 mos after clock start) (24 mos after	Plan EPA's Plan EPA's Plan Sanction EPA Impose 2:1 EPA Withholds Submitted to EPA Completion Finding Approval Finding Clock Date Emissions Offset Ratio Highway Funds ** (18 mos after clock start) (24 mos after clock start)

Note: Shaded and bold face type areas indicate changes and/or additions from previous report.

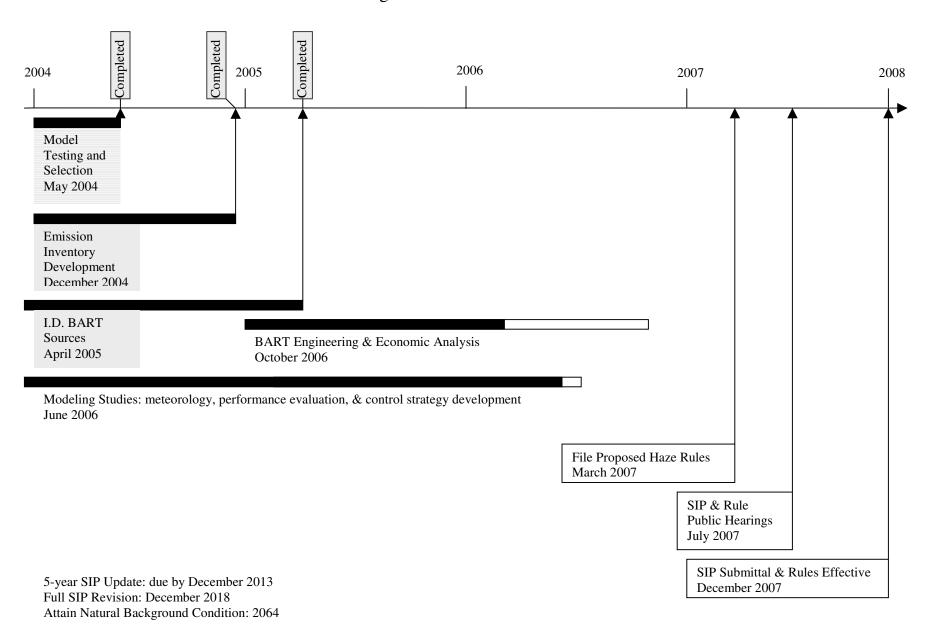
^{*} Failure to meet any of these dates or Plan requirements, starts the 18 month sanction clock.

If requirement is not met within 18 months, the 2:1 emissions offset ratio sanction is imposed.

If requirement is still not met within 24 months, the sanction that withholds highway funds is imposed.

^{**} Sanction clock starts with: 1) EPA letter to Governor for failure to submit or finding of incompleteness; or 2) EPA Federal Register final notice of Plan disapproval or nonimplementation. Sanction clock stops with EPA letter to department director of finding of completeness.

Attachment A State Air Quality Status Report Regional Haze SIP Timeline



Inspections by Station from July 1 through July 31, 2006

Station #	Station Name	Lanes	Vehicles Inspected	Per Lane Per Day	Average Wait Time*
1	West St. Charles County	3	4079	54.39	6.25
2	East St. Charles County	3	6167	82.23	8.16
3	North County - Florissant	4	6649	66.49	7.88
4	West County - Chesterfield	2	2897	57.94	3.76
5	Mid County - Olivette	5	7809	62.47	6.44
6	North City - West Florissant	3	2606	34.75	3.31
7	West County - Manchester	4	6111	61.11	7.73
8	South City - South Kingshighway	5	8198	65.58	4.65
9	North Jefferson - Arnold	4	8276	82.76	4.78
10	South Jefferson - Herculaneum	2	3073	61.46	1.95
11	North Franklin - Union	4	1633	16.33	
12	South Franklin - St. Clair	2	632	12.64	
15	Mobile Van -	1	347	13.88	
16	Mobile Van -	1	594	23.76	
	Total for Month		59,071		5.49
	Overall Fail Rate for Month	!	8%		
	Passed on 1st retest for Month		57%		
	Total Waivers Issued for Month		114		
	RSD		8,313		
	Hybrid		4,586		
	Total RapidScreen for Month		12,899		
	Grand Total for Month		71,970		

^{*}Calculated from the time ticket is taken until position in front of station lane door

Gateway Clean Air Program

GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of July 15, 2006
The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.



	Week of July 10-15, 2006	Since April 5, 2000
Number of passing tests and retests in the enhanced area:	11,200	3,182,228
Number of waivers (enhanced area):	16	34,285
Number of passing tests and retests in Franklin County:	726	288,199
Number of waivers (Franklin Co.):	2	1,568
RapidScreen notices redeemed:	4,932	951,733
Total number of vehicles (passing, waived or RapidScreened) through system:	16,876	4,458,013
RapidScreen notices mailed (through August 2006 registrants):	n/a	1,299,039
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	7.61%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	901 (56%)	197,330 (65%)

Average wait times (enhanced testing area):	4.95 Min. (overall average)	4.93 Min. (75-day average)
West St. Charles County	4.74 Min.	5.66 Min.
East St. Charles County	7.24 Min.	5.36 Min.
North County – Florissant	5.46 Min.	12.09 Min.
West County – Chesterfield	2.42 Min.	1.94 Min.
Mid County – Olivette	5.91 Min.	4.50 Min.
North City – West Florissant	2.31 Min.	1.39 Min.
West County – Manchester	6.30 Min.	3.74 Min.
South City – South Kingshighway	5.17 Min.	2.93 Min.
North Jefferson County – Arnold	3.81 Min.	4.86 Min.
South Jefferson Co. – Herculaneum	1.67 Min.	1.42 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	6	5					
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.04% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

Web site: www.gatewaycleanair.com



GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of July 22, 2006
The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.



	Week of	Since
	July 17-22, 2006	April 5, 2000
Number of passing tests and retests in the enhanced area:	9,306	3,191,534
Number of waivers (enhanced area):	22	34,307
Number of passing tests and retests in Franklin County:	641	288,840
Number of waivers (Franklin Co.):	0	1,568
RapidS creen notices redeemed:	2,186	953,919
Total number of vehicles (passing, waived or RapidS creened) through	12,155	4,470,168
RapidS creen notices mailed (through September 2006 registrants):	17,331	1,316,370
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	7.38%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	711 (58%)	198,041 (65%)

Average wait times (enhanced testing area):	4.78 M in. (overall average) (7	4.89 M in. 5-day average)
West St. Charles County	5.44 M in.	6.63 Min.
East St. Charles County	7.21 Min.	5.32 Min.
North County – Florissant	5.05 M in.	6.62 Min.
West County – Chesterfield	3.48 M in.	2.16 M in.
Mid County – Olivette	4.68 M in.	7.79 Min.
North City – West Florissant	2.06 M in.	3.13 Min.
West County – Manchester	6.28 M in.	6.14 Min.
South City – South Kingshighway	3.00 M in.	3.72 Min.
North Jefferson County – Arnold	4.79 M in.	4.60 Min.
South Jefferson Co. – Herculaneum	1.93 Min.	3.00 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

						0	,		,			
	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	6	5					
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.07% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

Gateway Clean Air Program Information line - Toll Free: 1-888-748-1AIR (1247)

Web site: www.gatewaycleanair.com

Gateway Clean Air Program

GATEWAY CLEAN AIR PROGRAM WEEKLY UPDATE

As of July 29, 2006
The goal of the Gateway Clean Air Program is to improve
St. Louis air quality.



(70 M:..

	Week of	Since
	July 24-29, 2006	April 5, 2000
Number of passing tests and retests in the enhanced area:	13,116	3,204,650
Number of waivers (enhanced area):	39	34,346
Number of passing tests and retests in Franklin County:	955	289,795
Number of waivers (Franklin Co.):	0	1,568
RapidScreen notices redeemed:	887	954,806
Total number of vehicles (passing, waived or RapidScreened) through system:	14,997	4,485,165
RapidScreen notices mailed (through September 2006 registrants):	n/a	1,316,370
Failure rate (weekly listing represents initial fail only - does not include retest fails); historical AVG represents overall failures through 12/31/05:	9.09%	11.74%
Number of vehicles passing initial retest (network wide); historical AVG represents info through 12/31/05:	1,130 (58%)	199,171 (65%)

Average wait times (enhanced testing area):	6.78 Min.	4.97 Min.
Trotage wait times (cintained testing area).	(overall average)	(75-day average)
West St. Charles County	7.45 Min.	4.73 Min.
East St. Charles County	8.98 Min.	3.21 Min.
North County – Florissant	7.38 Min.	5.50 Min.
West County – Chesterfield	4.87 Min.	2.39 Min.
Mid County – Olivette	7.89 Min.	9.79 Min.
North City – West Florissant	3.42 Min.	4.09 Min.
West County – Manchester	10.66 Min.	2.49 Min.
South City – South Kingshighway	4.36 Min.	6.76 Min.
North Jefferson County – Arnold	6.26 Min.	4.44 Min.
South Jefferson Co. – Herculaneum	2.06 Min.	1.68 Min.

Average Wait Times at the Enhanced Stations Since Program Start (in minutes): 7.76 Min. Overall AVG.

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
2006	5	7	5	5	5	6	6					
2005	5	7	5	4	5	6	7	6	6	5	4	4
2004	7	9	6	5	5	6	7	6	5	5	5	4
2003	5	7	7	8	10	10	11	12	9	7	7	6
2002	10	21	17	12	11	13	14	12	12	8	6	5
2001	9	14	13	10	11	14	14	13	14	10	9	7
2000	N/A	N/A	N/A	11	20	24	12	5	9	7	6	5

Miscellaneous:

Damage claims

This week damage claims were filed for 0.05% of vehicles tested. Since program start, damage claims have been filed for approximately 0.08% of all vehicles tested.

For more info: please contact the Missouri Department of Natural Resources at (314) 416-2115.

 ${\bf Gateway\ Clean\ Air\ Program\ Information\ line\ -\ Toll\ Free:\ 1-888-748-1AIR\ (1247)}$

Web site: www.gatewaycleanair.com

MEMORANDUM

DATE:

TO: Missouri Air Conservation Commission

THROUGH: Daniel R. Schuette, Director

Division of Environmental Quality

FROM: James L. Kavanaugh, Director

Air Pollution Control Program

SUBJECT: Attorney General's Office Referral Request – Mr. Joe Boggs/Howard County

On March 29, 2005, an anonymous caller made a report to the Cooper County 911 dispatch indicating that Mr. Joe Boggs was burning oil in barrels. Cooper County 911 dispatch then notified the Howard County Sheriff's Department. At approximately 7:40 p.m., the Howard County Sheriff's Department notified its Deputy Ben Church to respond to 120 County Road 345. Deputy Church arrived on the scene at 7:54 p.m. that same day, and observed two 50-gallon half-barrels burning with some kind of liquid in them. Mr. Joe Boggs of Boggs Repair and Salvage was located approximately 50 feet from the barrels, and upon questioning, stated that he was burning old fuel taken out of his junk cars. He further stated that he had been burning fuel in the barrels for the last week, and that he had burned about 10 gallons of fuel that night.

Deputy Church then had the Howard County Dispatch telephone the Missouri Department of Natural Resources to request that someone from the department contact Deputy Church. A representative from the department telephoned Deputy Church, who informed him that there was also a large amount of oil mixture on the ground as well. Deputy Church had spoken with Mr. Alan Cortvrient of the department's Environmental Services Program's 24-hour spill hotline. Mr. Cortvrient advised the deputy that Mr. Steve Boone from the department's Northeast Regional Office would follow-up on the call with an investigation, and that the deputy should advise Mr. Boggs to discontinue burning.

On March 30, 2005, Mr. Boone conducted an investigation into the incident, and he prepared Environmental Investigation (EI) #NE11045 for the air pollution aspects of the case, and EI #NE11046 for the hazardous waste aspects of the case. Mr. Boone took photographs at the scene in conjunction with the investigation.

Missouri Air Conservation Commission Page Two

The air investigation revealed Mr. Boggs disposed of waste gasoline from vehicles he was salvaging by open burning in a water heater "trough". On April 26, 2005, Northeast Regional Office subsequently issued Notice of Violation #0679NE to Mr. Boggs for burning trade waste in violation of 10 CSR 10-3.030(3), *Open Burning Restrictions*.

The hazardous waste investigation revealed Mr. Boggs illegally disposed of hazardous waste gasoline by open burning, and was therefore operating a hazardous waste treatment, storage, and disposal facility without a permit or other regulatory approval, in violation of the Missouri Hazardous Waste Law at Section 260.390.1(1), RSMo. On April 26, 2005, Northeast Regional Office issued Notice of Violation #3325NE to Mr. Boggs for the illegal disposal of hazardous waste (waste gasoline) by burning. On June 3, 2005, Northeast Regional Office referred this case to the department's Hazardous Waste Program.

On October 18, 2005, the department's Air Pollution Control Program (APCP) and the Hazardous Waste Program initiated negotiations with Mr. Boggs by certified letter. The APCP offered to settle the air pollution portion of the case with Mr. Boggs for \$10,000 made payable to the State of Missouri Howard County Treasurer as Trustee for the Howard County School Fund. The APCP received no written or verbal communication from Mr. Boggs in response to this settlement offer. On November 28, 2005, the department contacted Mr. Boggs by telephone to set up a settlement negotiation meeting.

On December 14, 2005, the APCP and the Hazardous Waste Program did indeed meet with Mr. Boggs. At that meeting, Mr. Boggs was completely unwilling to make a counteroffer or otherwise negotiate a settlement for this case, even though he admitted that, at least on one occasion, he did burn waste gasoline.

On April 20, 2006, the Missouri Hazardous Waste Management Commission ultimately voted to refer the hazardous waste portion of the case to the Attorney General's Office.

In light of the failure to resolve Notice of Violation #0679NE with conference, conciliation and persuasion, the APCP is hereby requesting authorization to refer this case to the Attorney General's Office to institute a civil action in a court of competent jurisdiction on behalf of the Missouri Air Conservation Commission and the Missouri Department of Natural Resources. I recommend approval of this action.

JLK:kvd

c: Mr. Steve Boone, Northeast Regional Office Mr. Chris Veit, Hazardous Waste Program

MEMORANDUM

DATE:

TO: Missouri Air Conservation Commission

THROUGH: Daniel R. Schuette, Director

Division of Environmental Quality

FROM: James L. Kavanaugh, Director

Air Pollution Control Program

SUBJECT: Attorney General's Office Referral Request – B & R Salvage, Jackson County

On May 7, 2005, the open burning of several hundred tires owned by B & R Salvage took place on property located at 10032 East Wilson Road in Independence, Jackson County, Missouri. The Independence fire department responded to the fire on May 7, 2005. Open burning of tires is prohibited by Missouri State Regulation 10 CSR 10-2.100, "Open Burning Restrictions." The Missouri Department of Natural Resources' Kansas City Regional Office issued Notice of Violation #A2253KC to B and R Salvage on May 7, 2005. The Kansas City Regional Office also issued Notice of Violation #A2252KC to the owner of the property Mr. Randy Roberts, 24403 Colbern Road in Lee's Summit, Jackson County, Missouri.

The department's Air Pollution Control Program (APCP) sent certified letters to Mr. Jeremy Heim of B & R Salvage on June 24, 2005, offering an out-of-court settlement to resolve the issue. The APCP also sent a letter to Mr. Randy Roberts offering an out-of-court settlement to resolve the issue.

On July 18, 2005, Mr. Roberts contacted the APCP by telephone and stated neighborhood kids probably ignited the tires. The fire department report did not indicate arson.

On July 25, 2005, APCP staff spoke with Mr. Todd Bruce, manager of B & R Salvage. Mr. Bruce promised to send a letter explaining their side of the issue.

On August 26, 2005, the APCP sent a letter to B & R Salvage and Mr. Roberts requesting they provide a response letter and offering an out-of-court settlement to resolve the issue.

Missouri Air Conservation Commission Page Two

On September 22, 2005, Mr. Bruce, Mr. Roberts, and APCP staff met to discuss the Notices of Violation. Mr. Bruce and Mr. Roberts claimed vandals burned only 15-20 tires with a brush pile. The fire department reports indicated approximately 1000 tires were burned. Mr. Bruce and Mr. Roberts stated they would provide proof that fewer tires were burned by October 21, 2005. The APCP provided digital photographs to Mr. Bruce and copies of the fire reports.

On November 4, 2005, the APCP sent a letter to Mr. Bruce requesting resolution of the issue. Mr. Bruce received the certified letter on November 9, 2005. Mr. Roberts was copied on the letter. Neither Mr. Roberts nor Mr. Bruce responded to the letter by the November 18, 2005, response date.

On December 20, 2005, the APCP sent a letter to Mr. Bruce requesting resolution of the issue. Mr. Bruce received the certified letter on December 23, 2005. The APCP also sent the letter via regular first class mail. Mr. Roberts was again copied on the letter. Neither Mr. Roberts nor Mr. Bruce responded to the letter by the December 30, 2005, response date.

On January 11, 2006, the APCP sent a final letter to Mr. Bruce and copied Mr. Roberts. The letter requested an immediate response to resolve the above Notice of Violation. The letter also explained the APCP would seek to refer the matter to the Attorney General's Office (AGO) for litigation if they fail to respond.

On January 31, 2006, Mr. Roberts contacted the APCP and said that he had thought Mr. Bruce had been maintaining contact on this issue. Mr. Roberts asked how the issue could be resolved. APCP staff informed Mr. Roberts that as he was simply the landlord and not directly involved in the business, the APCP was not inclined to pursue a settlement with him. Mr. Roberts said the fire department would not give them anything in writing indicating that less than 1000 tires were burned. Mr. Bruce then called and agreed to resolve the matter with a \$4,000 out of court settlement with \$2,000 of the amount suspended for two years. Mr. Bruce then sent a fax accepting the agreement.

The APCP requested the AGO prepare a settlement agreement. The matter was assigned to Assistant Attorney General Mr. Harry Bozoian. Assistant Attorney General Bozoian attempted several times to contact Mr. Bruce requesting he sign the agreement.

Mr. Bruce did not sign the agreement after several attempts to contact him by the AGO. On June 26, 2006, the AGO notified the APCP that Mr. Bruce had not signed the agreement and suggested the APCP refer the matter to the AGO in order to pursue litigation to resolve the issue.

Given B & R Salvage's lack of response to resolve this issue, the APCP requests authority to refer the case to the AGO in order to pursue litigation. I recommend approval of this action.

JLK:bnd

c: Mike Miller, Kansas City Regional Office Source file Jackson County Open Burning file

MEMORANDUM

DATE:

TO: Missouri Air Conservation Commission

THROUGH: Daniel R. Schuette, Director

Division of Environmental Quality

FROM: James L. Kavanaugh, Director

Air Pollution Control Program

SUBJECT: Attorney General's Office Referral Request – Mike and Diane Earl

On April 13, 2005, a representative of the Missouri Department of Natural Resources' Southwest Regional Office (SWRO) investigated the source of a smoke plume emanating from the residence of Mr. and Ms. Mike and Diane Earl in McCord Bend, Stone County. The investigation revealed the burning of solid waste in a roll-off container. This is a violation of Missouri Air Conservation Regulation 10 CSR 10-3.030 "*Open Burning Restrictions*." The SWRO subsequently issued Notice of Violation #11130SW for this violation.

On June 9, 2005, the department's Air Pollution Control Program (APCP) sent a penalty demand letter by certified mail. Ms. Earl signed for the letter.

On June 20, 2005, the APCP received an e-mail from Mr. James Gross of the SWRO stating Mr. Earl contacted him regarding the penalty demand letter. Mr. Gross encouraged Mr. Earl to call this office and follow up with a letter explaining the Earl's financial situation.

On June 21, 2005, the APCP received a fax from Ms. Earl stating the Earl's had no money to pay a fine. The fax contained no telephone contact information.

On August 22, 2005, the APCP sent a follow-up letter via certified mail to the Earl's stating that we would be willing to suspend entire \$2,000 penalty if they could provide proof of cleanup. The letter requested a response within 15 days. Ms. Earl signed for the letter on August 24, 2005. However, the APCP received no response.

On September 29, 2005, the APCP received a telephone call from Mr. Gross. He was at the Earl property conducting a follow up visit and called from his cell phone so the APCP could speak with the Earl's. Ms. Earl gave an update on the progress of cleanup. The APCP agreed to allow time for cleanup as long as the Earl's kept in contact.

Missouri Air Conservation Commission Page Two

On October 18, 2005, Ms. Nicole Eby of the APCP and Mr. Gross conducted a follow-up investigation of the property. Mr. Earl showed them two transfer station receipts. There was still solid waste on site but it appeared that illegal burning had ceased. Again Ms. Earl agreed to keep in contact.

On November 29, 2005, Mr. Gross sent a Letter of Warning regarding the solid waste violations. The letter requested a revised compliance schedule for cleanup. He received no response.

On February 27, 2006, the APCP sent an additional letter via certified mail stating that this would be the final opportunity for the Earl's to resolve the violations before the APCP requested the matter be referred to the Attorney General's Office. It requested a response within 15 days. Ms. Jessica Clark signed for the letter on March 1, 2006. To date the APCP has received no response.

In light of failure to resolve the violations with conference, conciliation and persuasion, the APCP is requesting authority to refer the case to the Attorney General's Office to institute a civil action in a court of competent jurisdiction on behalf of the Missouri Air Conservation Commission and Missouri Department of Natural Resources. I recommend approval of this action.

JLK:ned

c: James Gross, Southwest Regional Office

Reference Links

Department and Program Information

Air Pollution Control Program

Department of Natural Resources

State of Missouri

Air Issues

Asbestos

DNR Calendar of Events

News Releases

Rules

Rules in Development

Code of State Regulations

Missouri Register

Missouri State Implementation Plan (SIP) Summaries and Federally Approved Regulations

Commissions & Workgroups

Air Program Advisory Forum

Missouri Air Conservation Commission (MACC)

Missouri Air Conservation Commission (MACC) Agenda

Clean Air Interstate Rule (CAIR) and Clean Air Mercury Rule (CAMR) Workgroup

Open Burning Workgroup

St. Louis 8-Hour Ozone and PM2.5 State Implementation Plan (including Workgroup links)

Data Systems

Missouri's Air Quality Data

Missouri Emissions Inventory System (MoEIS) Online

Missouri Emissions Inventory System (MoEIS) Updates

Permits

Draft Permits on Public Notice, Response to Comments and Final Permits

Issued Permits (beginning January 2006)



MISSOURI DEPARTMENT OF NATURAL RESOURCES

DEPARTMENTAL OFFICES

Kansas City Area

Kansas City Regional Office
 500 NE Colbern Rd
 Lee's Summit, MO 64086-4710
 (816) 622-7000
 FAX: (816) 622-7044

Department of Energy Kansas City Plant / DNR - AIP 2000 E. Bannister Rd. P.O. Box 410202 Kansas City, MO 64141-0202 (816) 997-5790 FAX: (816) 997-3261

Discovery Center Satellite Office 4750 Troost Avenue Kansas City, MO 64110 (816) 759-7313 FAX: (816) 759-7333

Northwest Missouri Satellite Office
Northwest Missouri State University
Environmental Services, 800 University Drive
Maryville, MO 64468-6015
(660) 582-5210 or (660) 582-5290
FAX: (660) 582-5217

Truman Lake Satellite Office Harry S Truman State Park 28761 State Park Road Warsaw, MO 65355 (660) 438-3039 FAX: (660) 438-5271

Northeast Area

 Northeast Regional Office 1709 Prospect Dr. Macon, MO 63552-2602 (660) 385-8000
 FAX: (660) 385-8090

Northeast Area (continued)

Mississippi River Project Office Wakonda State Park Rt 1 Box 242 LaGrange, MO 63448 (573) 655-4178 FAX: (573) 655-8852

St. Louis Area

St. Louis Regional Office 7545 S. Lindbergh, Ste 210 St. Louis, MO 63125 (314) 416-2960 FAX: (314) 416-2970

Franklin County Satellite Office Meramec State Park Hwy 185 S. Sullivan, MO 63080 (573) 860-4308 FAX: (573) 468-5051

Hazardous Waste Field Office 917 N. Hwy 67, Ste. 104 Florissant, MO 63031 (314) 877-3250 or 3251 FAX: (314) 877-3254

Jefferson County Satellite Office Eastern District Parks Office Hwy 61 Festus, MO 63028 (636) 931-5200 FAX (636) 931-5204

Lincoln County Satellite Office Cuivre River State Park 678 State Rt. 147 Troy, MO 63379 (636) 528-4779 FAX: (636) 528-5817

Southeast Area

Southeast Regional Office 2155 North Westwood Boulevard Poplar Bluff, MO 63901 (573) 840-9750 FAX: (573) 840-9754

Division of Geology and Land Survey 111 Fairgrounds Rd. P.O. Box 250 Rolla, MO 65402 (573) 368-2100 FAX: (573) 368-2111

Delta Center Satellite Office P. O. Box 160 Portageville, MO 63873 (573) 379-5431 FAX: (573) 379-5875

Rolla Satellite Office 111 Fairgrounds Rd. Rolla, MO 65402 (573) 368-3185 FAX: (573) 368-3912

Southwest Area

 Southwest Regional Office 2040 W. Woodland Springfield, MO 65807-5912 (417) 891-4300
 FAX: (417) 891-4399

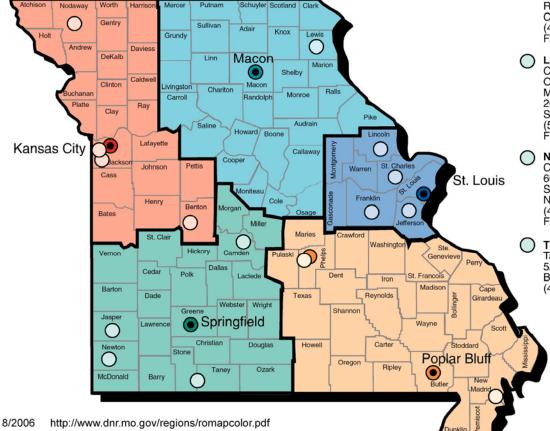
Jasper County Satellite Office
Jasper County Courthouse
302 S. Main Street
Room 204
Carthage, MO 64836
(417) 359-1524 or (417) 359-1525
FAX: (417) 359-1519

Lake of the Ozarks Satellite Office Camden County, 5568 A Hwy 54 Osage Beach, MO 65065 Mailing address: 2040 W. Woodland Springfield, MO 65807-5912 (573) 348-2442 Fax: (573) 348-2568

Newton County Satellite Office Crowder College 601 Laclede Smith Hall, Room 201 Neosho, MO 64850 (417) 455-5180 or (417) 455-5158 FAX: (417) 455-5157

Taney / Stone County Satellite Office Table Rock State Park 5272 State Hwy 165 Branson, MO 65616 (417) 337-9732

> For more information on the department, visit www.dnr.mo.gov call 1-800-361-4827 or write to P.O. Box 176 Jefferson City, MO 65102-0176.



4 8

MISSOURI DEPARTMENT OF NATURAL RESOURCES

Ombudsman Program

Kansas City

Bowman, Judy Kansas City Regional Office 500 NE Colbern Rd Lee's Summit, MO 64086-4710 (816) 622-7000 FAX: (816) 622-7044

Cell Phone: (816) 565-1296

Northeast

Summers, Don Northeast Regional Office 1709 Prospect Dr. Macon, MO 63552-2602 (660) 385-8000 FAX: (660) 385-8090 Cell Phone: (573) 291-3055

St. Louis

Alesandrini, Mike St. Louis Regional Office 7545 S. Lindbergh St. Louis, MO 63125 (314) 416-2960 FAX: (314) 416-2970 Cell Phone: (314) 560-4703

Central

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Division of Geology and Land Survey
111 Fairgrounds Rd., P. O. Box 250
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(573) 368-2100
FAX: (573) 368-2111
Cell Phone: (573) 619-1410

Southwest

Smith, Carrie Southwest Regional Office 2040 W. Woodland Springfield, MO 65807-5912 (417) 891-4300 FAX: (417) 891-4399 Cell Phone: (573) 619-1409 Woolery, Dave Southwest Regional Office 2040 W. Woodland Springfield, MO 65807-5912 (417) 891-4300 FAX: (417) 891-4399 Cell Phone: (573) 619-1408

Southeast

Foster, Bill Southeast Regional Office 2155 North Westwood Boulevard Poplar Bluff, MO 63901 (573) 840-9750 FAX: (573) 840-9754 Cell Phone: (573) 619-1407

